

116TH CONGRESS 2D SESSION

S. 3637

To amend the Servicemembers Civil Relief Act to extend lease protections for servicemembers under stop movement orders in response to a local, national, or global emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

May 6, 2020

Mr. Tester (for himself, Mr. Moran, Mrs. Blackburn, Mr. Blumenthal, Mr. Boozman, Mr. Brown, Mr. Cassidy, Mr. Cramer, Ms. Hirono, Mr. Rounds, Mr. Sullivan, Mr. Tillis, Mr. Manchin, and Mrs. Loeffler) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to extend lease protections for servicemembers under stop movement orders in response to a local, national, or global emergency, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

1	SECTION 1. EXTENSION OF LEASE PROTECTIONS FOR
2	SERVICEMEMBERS UNDER STOP MOVEMENT
3	ORDERS IN RESPONSE TO LOCAL, NATIONAL,
4	OR GLOBAL EMERGENCY.
5	(a) Termination.—Subsection (a)(1) of section 305
6	of the Servicemembers Civil Relief Act (50 U.S.C. 3955)
7	is amended—
8	(1) in subparagraph (A), by striking "; or" and
9	inserting a semicolon;
10	(2) in subparagraph (B), by striking the period
11	at the end and inserting "; or"; and
12	(3) by adding at the end the following new sub-
13	paragraph:
14	"(C) the date of the lessee's stop move-
15	ment order described in paragraph (1)(C) or
16	(2)(C) of subsection (b), as the case may be.".
17	(b) Covered Leases.—
18	(1) Leases of Premises.—Paragraph (1) of
19	subsection (b) of such section is amended—
20	(A) in subparagraph (A), by striking ";
21	or" and inserting a semicolon;
22	(B) in subparagraph (B), by striking the
23	period at the end and inserting "; or"; and
24	(C) by adding at the end the following new
25	subparagraph:

1	"(C) the servicemember, while in military
2	service—
3	"(i) executes a lease upon receipt of
4	military orders for a permanent change of
5	station or to deploy with a military unit, or
6	as an individual in support of a military
7	operation, for a period of not less than 90
8	days; and
9	"(ii) thereafter receives a stop move-
10	ment order issued by the Secretary of De-
11	fense in response to a local, national, or
12	global emergency, effective for an indefi-
13	nite period or for a period of not less than
14	30 days, which prevents the servicemember
15	or servicemember's dependents from occu-
16	pying the lease for a residential, profes-
17	sional, business, agricultural, or similar
18	purpose.".
19	(2) Leases of motor vehicles.—Paragraph
20	(2) of such subsection is amended—
21	(A) in subparagraph (A), by striking ";
22	or" and inserting a semicolon;
23	(B) in subparagraph (B)(ii), by striking
24	the period at the end and inserting ": or": and

1	(C) by adding at the end the following new
2	subparagraph:
3	"(C) the servicemember, while in military
4	service—
5	"(i) executes a lease upon receipt of
6	military orders described in subparagraph
7	(B); and
8	"(ii) thereafter receives a stop move-
9	ment order issued by the Secretary of De-
10	fense in response to a local, national, or
11	global emergency, effective for an indefi-
12	nite period or for a period of not less than
13	30 days, which prevents the servicemem-
14	ber, or the servicemember's dependents,
15	from using the vehicle for personal or busi-
16	ness transportation.".
17	(c) Effective Date of Termination.—Paragraph
18	(1) of subsection (d) of such section is amended to read
19	as follows:
20	"(1) Lease of Premises.—
21	"(A) Entrance to military service,
22	PERMANENT CHANGE OF STATION, OR DEPLOY-
23	MENT.—In the case of a lease described in sub-
24	paragraph (A) or (B) of subsection (b)(1) that
25	provides for monthly payment of rent, termi-

1 nation of the lease under subsection (a) is effec-2 tive 30 days after the first date on which the 3 next rental payment is due and payable after 4 the date on which the notice under subsection 5 (c) is delivered. In the case of any other lease 6 described in subparagraphs (A) and (B) of sub-7 section (b)(1) termination of the lease under 8 subsection (a) is effective on the last day of the 9 month following the month in which the notice 10 is delivered.

- "(B) STOP MOVEMENT ORDERS.—In the case of a lease described in subsection (b)(1)(C), termination of the lease under subsection (a) is effective on the date on which the requirements of subsection (c) are met for such termination.".
- 17 (d) TECHNICAL CORRECTION.—Subsection (i) is 18 amended, in the matter before paragraph (1), by inserting 19 "In this section:" after "DEFINITIONS.—".
- 20 (e) RETROACTIVE APPLICATION.—The amendments 21 made by this section shall apply to stop movement orders 22 issued on or after March 1, 2020.

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