

118TH CONGRESS
1ST SESSION

H. R. 5190

To amend the Servicemembers Civil Relief Act to expand certain protections to dependents of members of the Armed Forces.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 2023

Mr. KIM of New Jersey introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to expand certain protections to dependents of members of the Armed Forces.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Family Pro-
5 tection from Debt Act”.

6 **SEC. 2. MAXIMUM RATE OF INTEREST ON DEBTS INCURRED**
7 **BEFORE MILITARY SERVICE APPLICABLE TO**
8 **MILITARY DEPENDENTS.**

9 Section 207 of the Servicemembers Civil Relief Act
10 (50 U.S.C. 3937) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “or the
3 servicemember and the servicemember’s spouse
4 jointly” and inserting “a dependent of the serv-
5 icemember, or such a dependent and the serv-
6 icemember jointly”; and

7 (B) in paragraph (3), by inserting “or a
8 dependent of the servicemember” after “due
9 from a servicemember”;

10 (2) in subsection (b)(1)—

11 (A) in the paragraph heading, by inserting
12 “AND DEPENDENCY” after “MILITARY SERV-
13 ICE”;

14 (B) in subparagraph (A)—

15 (i) by striking “of the servicemem-
16 ber”;

17 (ii) by striking clause (i) and inserting
18 the following:

19 “(i) military orders indicating the cur-
20 rent, future, or past military duty status of
21 the servicemember; or”; and

22 (iii) in clause (ii), by inserting “or a
23 certificate from the Defense Manpower
24 Data Center” before the period at the end;

1 (C) by redesignating subparagraph (B) as
2 subparagraph (C); and

3 (D) by inserting the following after sub-
4 paragraph (A):

5 “(B) DEPENDENTS.—In addition to pro-
6 viding proof of military service under subpara-
7 graph (A), dependents of servicemembers shall
8 provide documentation that indicates the de-
9 pendency status of the dependent at the time
10 the debt or obligation was incurred and con-
11 tinuing until the servicemember entered mili-
12 tary service. Such documentation may include a
13 marriage certificate, birth certificate, or any
14 other appropriate indicator of dependency sta-
15 tus.”; and

16 (3) in subsection (e), by inserting “, dependent,
17 or both, as the case may be,” after “ability of the
18 servicemember”.

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