

**Suspend the Rules and Pass the Bill, HR. 1263**

**(The amendments strike all after the enacting clause and insert a new text and a new title)**

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1263**

To amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2011

Mr. FILNER introduced the following bill; which was referred to the Committee on Veterans' Affairs

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**A BILL**

To amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, 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. EXPANSION OF PROTECTIONS RELATING TO**  
2 **MORTGAGES AND MORTGAGE FORE-**  
3 **CLOSURES FOR SURVIVING SPOUSES.**

4 (a) PROTECTION FOR SURVIVING SPOUSE.—Section  
5 303 of the Servicemembers Civil Relief Act (50 U.S.C.  
6 App. 533) is amended by adding at the end the following  
7 new subsection:

8 “(e) PROTECTION FOR SURVIVING SPOUSE.—During  
9 the five-year period beginning on the date of the enact-  
10 ment of this subsection, with respect to a servicemember  
11 who dies while in military service and whose death is serv-  
12 ice-connected, this section shall apply to the surviving  
13 spouse of the servicemember if such spouse is the suc-  
14 cessor in interest to property covered under subsection  
15 (a).”.

16 (b) EFFECTIVE DATE.—Subsection (e) of section 303  
17 of such Act, as added by subsection (a), shall apply to  
18 a surviving spouse of a servicemember whose death is on  
19 or after the date of the enactment of this Act.

20 **SEC. 2. REQUIREMENTS FOR LENDING INSTITUTIONS THAT**  
21 **ARE CREDITORS FOR OBLIGATIONS AND LI-**  
22 **ABILITIES COVERED BY THE**  
23 **SERVICEMEMBERS CIVIL RELIEF ACT.**

24 Section 207 of the Servicemembers Civil Relief Act  
25 is amended—

1 (1) by redesignating subsections (d) and (e) as  
2 subsections (e) and (f), respectively; and

3 (2) by inserting after subsection (c) the fol-  
4 lowing new subsection (d):

5 “(d) LENDING INSTITUTION REQUIREMENTS.—

6 “(1) COMPLIANCE OFFICERS.—Each lending in-  
7 stitution subject to the requirements of this section  
8 shall designate an employee of the institution as a  
9 compliance officer who is responsible for ensuring  
10 the institution’s compliance with this section and for  
11 distributing information to servicemembers whose  
12 obligations and liabilities are covered by this section.

13 “(2) TOLL-FREE TELEPHONE NUMBER.—Dur-  
14 ing any fiscal year, a lending institution subject to  
15 the requirements of this section that had annual as-  
16 sets for the preceding fiscal year of \$10,000,000,000  
17 or more shall maintain a toll-free telephone number  
18 and shall make such telephone number available on  
19 the primary Internet Web site of the institution.”.

20 **SEC. 3. EXTENSION OF PERIOD OF PROTECTIONS FOR**  
21 **SERVICEMEMBERS AGAINST MORTGAGE**  
22 **FORECLOSURES.**

23 (a) EXTENDED PERIOD OF PROTECTIONS.—

24 (1) STAY OF PROCEEDINGS AND PERIOD OF AD-  
25 JUSTMENT OF OBLIGATIONS RELATING TO REAL OR

1       PERSONAL PROPERTY.—Section 303(b) of the  
2       Servicemembers Civil Relief Act (50 U.S.C. App.  
3       533(b)) is amended by striking “within 9 months”  
4       and inserting “within 12 months”.

5           (2) PERIOD OF RELIEF FROM SALE, FORE-  
6       CLOSURE, OR SEIZURE.—Section 303(c) of such Act  
7       (50 U.S.C. App. 533(c)) is amended by striking  
8       “within 9 months” and inserting “within 12  
9       months”.

10          (3) SUNSET.— The amendments made by para-  
11       graphs (1) and (2) shall expire on December 31,  
12       2017. Effective January 1, 2018, the provisions of  
13       subsections (b) and (c) of section 303 of the  
14       Servicemembers Civil Relief Act, as in effect on the  
15       day before the date of the enactment of the Housing  
16       and Economic Recovery Act of 2008 (Public Law  
17       110–289), are hereby revived.

18          (b) REPEAL OF SUPERCEDED PROVISION.—Sub-  
19       section (c) of section 2203 of the Housing and Economic  
20       Recovery Act of 2008 (Public Law 110–289; 50 U.S.C.  
21       App. 533 note) is amended to read as follows:

22          “(c) EFFECTIVE DATE.—The amendments made by  
23       subsection (a) shall take effect on the date of the enact-  
24       ment of this Act.”.