Military spouses now can choose to take their servicemember's state of legal residency without having physical presence in the state, thanks to a law signed by the president on New Year's Eve.

The Veterans Benefits and Transition Act of 2018, sponsored by Sen. Jon Tester (D-Mont.), rolled together a number of individual bills that had been referred to the Senate and House Veterans' Affairs Committees, including H.R. 282 - the Military Residency Choice Act, which was introduced by Rep. Elise Stefanik (R-N.Y.) in January 2017.

MOAA has supported this provision since its inception, actively educating members of Congress and government officials on the benefits of such a law. In March, MOAA submitted a statement for the record to the House and Senate Veterans' Affairs Committees outlining our support for the then-bill.

Previously, only military spouses who shared the same state of legal residence with their servicemember were protected from changing their residency every PCS. The new law allows for military spouses to take their servicemember spouse's state of legal residency for voting and tax purposes regardless of their date of marriage and physical location—essentially inheriting their servicemember's residency, if they so choose.

Not only does this law benefit military spouses for tax and voting purposes, but it is useful for military spouses who have occupations that require state licenses. Changing state residency every PCS means that spouses have to change their state license to match their new residence. The cost and time to complete relicensing negatively impacts the employability of a military spouse. Allowing a spouse to maintain one residence during their servicemember's time in the military prevents the headache of getting relicensed and makes it easier to operate within interstate compacts for occupational licensure.

In her testimony to the House Veterans' Affairs Subcommittee on Economic Opportunity, Stefanik emphasizes the importance of this change: “Military spouses serve too, and this piece of legislation eliminates the daunting task of documenting multiple tax jurisdictions, which at times causes some spouses to forego the complication of working altogether. This common-sense legislation will make this easier for military spouses to work, and help reduce instances of military spousal unemployment.”