

SECOND REGULAR SESSION

HOUSE BILL NO. 1474

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GREEN (15) AND ABEL (Co-sponsors).

Read 1st time January 16, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3251L.01I

AN ACT

To repeal section 105.270, RSMo, and to enact in lieu thereof one new section relating to a state employee's leave of absence to perform military duties.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 105.270, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.270, to read as follows:

105.270. 1. All officers and employees of this state, or of any department or agency thereof, or of any county, municipality, school district, or other political subdivision, and all other public employees of this state who are or may become members of the national guard or of any reserve component of the armed forces of the United States, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits, to which otherwise entitled, for all periods of military services during which they are engaged in the performance of duty or training in the service of this state at the call of the governor and as ordered by the adjutant general without regard to length of time, and for all periods of military services during which they are engaged in the performance of duty in the service of the United States under competent orders for a period not to exceed a total of fifteen calendar days in any federal fiscal year; **provided, that any such employee engaged in the performance of duty in the service of the United States under competent orders for more than fifteen calendar days shall continue to receive full pay until the completion of such service.**

2. Before any payment of salary is made covering the period of the leave the officer or the employee shall file with the appointing authority or supervising agency an official order from

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 the appropriate military authority as evidence of such duty for which military leave pay is granted
18 which order shall contain the certification of the officer or employee's commanding officer of
19 performance of duty in accordance with the terms of such order.

20 3. No member of the organized militia shall be discharged from employment by any of
21 the aforementioned agencies because of being a member of the organized militia, nor shall [he]
22 **such member** be hindered or prevented from performing any militia service [he] **the member**
23 may be called upon to perform by proper authority nor otherwise be discriminated against or
24 dissuaded from enlisting or continuing [his service] **to serve** in the militia by threat or injury [to
25 him] in respect to [his] **the member's** employment. Any officer or agent of the aforementioned
26 agencies violating any of the provisions of this section is guilty of a misdemeanor.