

FIRST REGULAR SESSION

# HOUSE BILL NO. 366

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SOMMER.

1105H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 41, RSMo, by adding thereto two new sections relating to the Missouri national guard and active guard reserves.

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

Section A. Chapter 41, RSMo, is amended by adding thereto two new sections, to be known as sections 41.952 and 41.953, to read as follows:

**41.952. 1. The provisions of the Servicemembers Civil Relief Act, 50 U.S.C. 3901, et seq., as amended, and the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301, et seq., as amended, shall apply to all members of the Missouri Active Guard Reserves with thirty or more consecutive days of service and to all members of the Missouri National Guard who are called to active duty by an executive order from the governor.**

**2. The department of labor and industrial relations shall make available the following notice which every employer shall post in a conspicuous place in each employment establishment:**

**"If you are in the Missouri National Guard, you have certain protected employment and reemployment rights, rights to freedom from discrimination, and the right to civil relief under federal laws 38 U.S.C. 4301, et seq. (USERRA) and 50 U.S.C. 3901, et seq. (SCRA) and under 41.952, RSMo. If you feel that you have been discriminated against or denied these rights on account of your service in the Missouri National Guard, contact the Missouri Veterans Commission at 573-751-3779".**

**3. Any member of the Missouri Active Guard Reserves or the Missouri National Guard who believes his or her rights under subsection 1 of this section were violated may**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **bring suit in any court of competent jurisdiction and appropriate venue. The office of the**  
19 **attorney general may also bring suit against an employer who violates the provisions of this**  
20 **section.**

**41.953. 1. Members of the United States Armed Forces or the Missouri Active**  
2 **Guard Reserves who are ordered to temporary duty location for more than thirty**  
3 **consecutive days shall have the right to cancel contracts for telecommunications services,**  
4 **internet service, satellite or streaming television services, athletic club or gym**  
5 **memberships, satellite radio service, and other similar services without penalty.**

6 **2. Members of the reserve component of the United States Armed Forces or the**  
7 **Missouri National Guard who are called to active duty service or training for more than**  
8 **thirty consecutive days shall have the right to cancel contracts for telecommunications**  
9 **services, internet service, satellite or streaming television services, athletic club or gym**  
10 **memberships, satellite radio service, and other similar services without penalty.**

11 **3. Termination of contract under subsection 1 or 2 of this section must be made by**  
12 **delivery of a written or electronic notice of the termination and a copy of military orders**  
13 **to the service provider showing that the duty location will not support the contract.**

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