

SENATE FILE NO. SF0035

Military Service Relief Act additional protections.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to defense forces and affairs; providing
2 servicemembers protections when terminating, suspending or
3 reinstating contract services; requiring notice; making
4 conforming amendments; providing applicability; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 19-11-125 is created to read:

10

11 **19-11-125. Termination, suspension or reinstatement**
12 **of contract services.**

13

14 (a) A person ordered to active service in the
15 uniformed services for a period of more than thirty (30)

1 but not more than one hundred eighty (180) consecutive days
2 may suspend, or for more than one hundred eighty (180) days
3 may terminate or suspend, a service contract described in
4 subsection (b) of this section at any time after the date
5 the person receives military orders, provided the person
6 complies with the notice requirements in subsection (c) of
7 this section.

8
9 (b) Service contracts subject to subsection (a) of
10 this section include contracts issued or renewed on and
11 after July 1, 2018, subject to Wyoming law, which provide
12 any of the following:

13
14 (i) Telecommunication services;

15
16 (ii) Internet services;

17
18 (iii) Television services including cable
19 television, satellite and other television like services;

20
21 (iv) Athletic club or gym memberships;

22
23 (v) Satellite radio or communication services;

1

2 (vi) Other services provided pursuant to a
3 contract that requires periodic and ongoing payments.

4

5 (c) To terminate or suspend a service contract
6 pursuant to this section a uniformed services member or
7 spouse of a uniformed services member shall deliver to the
8 holder of the service contract a written or electronic
9 notice of the suspension or termination and a copy of the
10 member's military orders. Termination or suspension is
11 effective on the date specified in the notice, or ten (10)
12 days after the date the notice was sent, whichever is
13 later. Suspension shall continue until the member or spouse
14 of a uniformed services member reinstates service by
15 delivering to the holder of the service contract a written
16 or electronic notice of reinstatement. The contract holder
17 shall resume providing services effective not more than ten
18 (10) business days after the date specified in the notice,
19 or ten (10) days after the date the notice was sent,
20 whichever is later. A service member who terminates,
21 suspends or reinstates services may not be charged any
22 penalty, interest, fee, loss of deposit or other cost
23 because of the termination, suspension or reinstatement. A

1 service contract described in this subsection may be
2 contracted together with or separately by the spouse of the
3 person ordered to service in the uniformed services,
4 provided that at the time under contract the spouse resides
5 with the person.

6
7 **Section 2.** W.S. 19-10-106, 19-11-101,
8 19-11-103(a)(xii), 19-11-122(b) through (d) are amended to
9 read:

10
11 **19-10-106. Application of Military Service Relief**
12 **Act.**

13
14 The Military Service Relief Act, W.S. 19-11-101 through
15 ~~19-11-124~~ 19-11-125, shall apply to members of the Wyoming
16 state guard.

17
18 **19-11-101. Title.**

19
20 As used in this article, "this article" means W.S.
21 19-11-101 through ~~19-11-124~~ 19-11-125.

22
23 **19-11-103. Definitions.**

1

2 (a) As used in this article, unless the context
3 clearly requires otherwise:

4

5 (xii) "This act" means W.S. 19-11-101 through
6 ~~19-11-124~~ 19-11-125.

7

8 **19-11-122. Servicemembers Civil Relief Act;**
9 **application to national guard; penalty for violation of**
10 **rights; enforcement; preferences.**

11

12 (b) Any person who knowingly violates the protections
13 provided to members of the Wyoming national guard pursuant
14 to subsection (a) of this section or W.S. 19-11-125 shall
15 be guilty of a misdemeanor punishable by a fine not to
16 exceed one thousand dollars (\$1,000.00).

17

18 (c) The protections afforded to members of the
19 Wyoming national guard pursuant to subsection (a) of this
20 section or W.S. 19-11-125 may serve as the basis for an
21 action or as a defense. The courts of this state that
22 would otherwise have jurisdiction over a case shall have
23 jurisdiction over proceedings involving the Servicemembers

1 Civil Relief Act, ~~and~~ the Uniformed Services Employment and
2 Reemployment Rights Act and W.S. 19-11-125, which shall be
3 governed by the rules applicable to ordinary proceedings.
4

5 (d) The courts shall give preference in scheduling
6 ~~such~~ proceedings pursuant to subsection (c) of this
7 section, upon the motion of any person in the uniformed
8 services, or the person's attorney, who presents
9 certification that the person has performed service in the
10 uniformed services or is in service in the uniformed
11 services.
12

13 **Section 3.** This act is effective July 1, 2018.
14

15 (END)