

ORIGINAL HOUSE
BILL NO. 0009

ENROLLED ACT NO. 1, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to the Military Service Relief Act; extending a veteran's reemployment right from four to five years of service; excluding from eligibility persons not honorably discharged; and providing for an effective date.

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

Section 1. W.S. 19-11-111(a)(ii), by creating a new paragraph (iv), (c)(i), (ii) and (g)(iii) is amended to read:

19-11-111. Right of reinstatement to former employment.

(a) Any person who is absent from a position of employment by reason of service in the uniformed services shall be entitled to the reemployment rights and benefits and other employment benefits of this article within ten (10) days of application for reemployment if all of the following conditions are met:

(ii) The cumulative length of the absence and of all previous absences from a position of employment with that employer by reason of service in the uniformed services does not exceed ~~four (4)~~ five (5) years;

(iv) If the person has been discharged from the uniformed services, the discharge was an honorable discharge or a discharge under honorable conditions.

(c) Subsection (a) of this section shall apply to a person who is absent from a position of employment by reason of service in the uniformed services if ~~such~~ the person's cumulative period of service in the uniformed services with respect to the employer relationship for

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which a person seeks reemployment does not exceed ~~four (4)~~ five (5) years, except that ~~any such the~~ period of service shall not include any service:

(i) That is required, beyond ~~four (4)~~ five (5) years, to complete an initial period of obligated service;

(ii) During which the person was unable to obtain orders releasing ~~such the~~ person from a period of service in the uniformed services before the expiration of the ~~four (4)~~ five (5) year period and ~~such the~~ inability was through no fault of ~~such the~~ person;

(g) A person who submits an application for reemployment in accordance with paragraph (e)(iii) or (iv) of this section shall provide, upon request by the person's employer, to the person's employer documentation to establish the following:

(iii) ~~The person's entitlement to the benefits under this section has not been terminated by reason of dishonorable discharge from service in the uniformed services~~ If the person has been discharged from the uniformed service, the discharge was an honorable discharge or a discharge under honorable conditions.

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Section 2. This act is effective July 1, 2005.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk