

RÉSUMÉ DIGEST

ACT 647 (SB 114)

2018 Regular Session

Peacock

Prior law provided relative to the Military Service Relief Act ("Act") and provided that the federal Service members Civil Relief Act is adopted and made a part of the Act.

New law changes the citation of the Service members Civil Relief Act from 50 App. U.S.C. 501 et seq. to 50 U.S.C. 3901 et seq.

Prior law provided for reemployment rights and other benefits for persons who perform service in the uniformed services of the United States.

New law provides that a person called to service in the uniformed services may suspend or terminate certain contracts. The suspension or termination may be made by the person at any time after receiving military orders to relocate, for a period of service of at least 90 days, to a location that does not support the contracts.

New law provides the contracts that may be suspended or terminated are:

- (1) Telecommunications services, excluding cellular phone and wireless service plan contracts.
- (2) Internet services.
- (3) Telephone services.
- (4) Athletic club or gym memberships.
- (5) Satellite radio services.
- (6) Television services, including but not limited to cable television, direct satellite, and other television-like services.
- (7) Utility services.

New law provides that a contract may be suspended for a period not exceeding 30 days after discharge from active military service. The suspension shall be without imposition of any charge, and shall be effective on the day notice is given by the person to the service provider. The notice shall include a copy of the person's military orders.

New law provides that to reactivate service, the person shall notify the service provider within 30 days of the date of his discharge from active military service. No fee shall be charged for reactivation.

New law provides that a contract may be terminated by notice requesting termination of the contract. A copy of the person's military orders shall be included in the notice. No termination or cancellation fee or penalty shall be imposed, and termination shall become effective on the day notice is made to the service provider.

New law shall supersede and control to the extent of conflict with any other provision of law. A contract provision in conflict with new law, or that attempts to waive the provisions of new law, shall be void and unenforceable as contrary to public policy.

Effective August 1, 2018.

(Amends R.S. 29:402(C) and 422(A); adds R.S. 29:418.2)