

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 114

2018 Regular Session

Peacock

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CONSUMERS/PROTECTION. Provides for the Military Service Relief Act. (8/1/18)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

- 1. Technical legislative bureau amendment.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 114 Engrossed

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

Proposed 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.

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

Proposed 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.

Proposed 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.

Proposed 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.

Proposed 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.

Proposed 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.

Proposed law shall supersede and control to the extent of conflict with any other provision of law. A contract provision in conflict with proposed law, or that attempts to waive the provisions of proposed 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)

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