

HOUSE RESEARCH

Bill Summary

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Overview

This bill cross references two key federal laws that protect soldiers' rights upon their being ordered into *federal active service*. Those laws are:

- **SCRA** (the newly-renamed Servicemembers' Civil Relief Act), which provides a range of *civil law protections*; and
- **USERRA** (the Uniformed Services Employment and Reemployment Rights Act), which provides a range of *employment protections*.

This bill would ensure that the same protections that SCRA and USERRA provide for soldiers entering into *federal active service* would be provided under Minnesota law to soldiers entering into *state active service*.

An example of mobilization into *state active service* would be the situation on 9/11, when of a few hundred Minnesota National Guard members were ordered into 179 days of *state active service* for emergency airport security duty (though ultimately that duty was converted into *federally funded state active service* under U.S.C. Title 32, which then was covered by the SCRA and USERRA).

Since 2002, Minnesota Statutes §190.055 has provided such *civil law protections*. In clause (a)(1), this bill updates the cross reference to the relevant federal law using the newly revised title for the SCRA.

Section

And by adding a similar cross reference to USERRA, the new language in clause (a)(2) adds to state law the *employment protections* for soldiers entering into *state active service* that are currently being provided under USERRA to soldiers entering into *federal active service*.