

## 1 HOUSE BILL NO. 362

2 INTRODUCED BY R. FITZGERALD, F. GARNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT MILITARY LEAVE IS CREDITED IN FULL  
5 AFTER 6 MONTHS OF EMPLOYMENT; AMENDING SECTION 10-1-1009, MCA; AND PROVIDING AN  
6 IMMEDIATE EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 10-1-1009, MCA, is amended to read:

11 **"10-1-1009. Paid military leave for public employees.** (1) (a) An employee of the state or of any  
12 political subdivision, as defined in 2-9-101, who is a member of the national guard of Montana or any other  
13 state or who is a member of the organized or unorganized reserve corps or military forces of the United States  
14 and who has been an employee for a period of at least 6 months must be given leave of absence with pay  
15 ~~accruing~~ at a rate of 120 hours in a calendar year, or academic year if applicable, for performing military  
16 service.

17 (b) The full 120 hours of leave provided for in subsection (1)(a) must be credited in full to an  
18 employee after 6 months of employment and in each successive calendar year, or academic year if applicable.

19 (2) Military leave may not be charged against the employee's annual vacation time.

20 (3) Unused military leave must be carried over to the next calendar year, or academic year if  
21 applicable, but may not exceed a total of 240 hours in any calendar or academic year."

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23 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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