



AN ACT CLARIFYING THAT MILITARY LEAVE IS CREDITED IN FULL AFTER 6 MONTHS OF EMPLOYMENT; AMENDING SECTION 10-1-1009, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

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

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

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

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

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

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

- END -

I hereby certify that the within bill,  
HB 362, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

HOUSE BILL NO. 362

INTRODUCED BY R. FITZGERALD, F. GARNER

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