

ORIGINAL SENATE  
FILE NO. SF0035

ENROLLED ACT NO. 29, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING  
2018 BUDGET SESSION

AN ACT relating to defense forces and affairs; providing servicemembers protections when terminating, suspending or reinstating contract services; requiring notice; making conforming amendments; providing applicability; establishing a penalty; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 19-11-125 is created to read:

**19-11-125. Termination, suspension or reinstatement of contract services.**

(a) A person ordered to active service in the uniformed services, or a person already in active service in the uniformed services and transferred, for a period of more than thirty (30) but not more than one hundred eighty (180) consecutive days may suspend, or for more than one hundred eighty (180) days may terminate or suspend, a service contract described in subsection (b) of this section at any time after the date the person receives military orders, provided the person complies with the notice requirements in subsection (c) of this section.

(b) Service contracts subject to subsection (a) of this section include contracts issued or renewed on or after July 1, 2018, subject to Wyoming law, which provide any of the following:

- (i) Telecommunication services;
- (ii) Internet services;

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(iii) Television services including cable television, satellite and other television like services;

(iv) Athletic club or gym memberships;

(v) Satellite radio or communication services;

(vi) Other services provided pursuant to a contract that requires periodic and ongoing payments.

(c) To terminate or suspend a service contract pursuant to this section a uniformed services member or spouse of a uniformed services member shall deliver to the holder of the service contract a written or electronic notice of the suspension or termination and a copy of the member's military orders. Termination or suspension is effective on the date specified in the notice, or ten (10) days after the date the notice was sent, whichever is later. Suspension shall continue until the member or spouse of a uniformed services member reinstates service by delivering to the holder of the service contract a written or electronic notice of reinstatement. The contract holder shall resume providing services effective not more than ten (10) business days after the date specified in the notice, or ten (10) days after the date the notice was sent, whichever is later. A service member who terminates, suspends or reinstates services may not be charged any penalty, interest, fee, loss of deposit or other cost because of the termination, suspension or reinstatement. A service contract described in this subsection may be contracted together with or separately by the spouse of the person ordered to service in the uniformed services, provided that at the time under contract the spouse resides with the person.

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(d) Nothing in this section shall prohibit a holder of a service contract from requiring the return of tangible property before suspending or terminating the contractual obligations of a person in subsection (a) of this section.

(e) Any person who knowingly violates the protections provided to a person in subsection (a) of this section, or any person in subsection (a) of this section who obtains protections under this section through fraudulent means, shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.00).

**Section**            **2.** W.S.            19-10-106,            19-11-101,  
19-11-103(a)(xii), 19-11-122(b) through (d) are amended to  
read:

**19-10-106. Application of Military Service Relief Act.**

The Military Service Relief Act, W.S. 19-11-101 through ~~19-11-124~~ 19-11-125, shall apply to members of the Wyoming state guard.

**19-11-101. Title.**

As used in this article, "this article" means W.S. 19-11-101 through ~~19-11-124~~ 19-11-125.

**19-11-103. Definitions.**

(a) As used in this article, unless the context clearly requires otherwise:

(xii) "This act" means W.S. 19-11-101 through ~~19-11-124~~ 19-11-125.

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**19-11-122. Servicemembers Civil Relief Act;  
application to national guard; penalty for violation of  
rights; enforcement; preferences.**

(b) Any person who knowingly violates the protections provided to members of the Wyoming national guard pursuant to subsection (a) of this section or W.S. 19-11-125 shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000.00).

(c) The protections afforded to members of the Wyoming national guard pursuant to subsection (a) of this section or W.S. 19-11-125 may serve as the basis for an action or as a defense. The courts of this state that would otherwise have jurisdiction over a case shall have jurisdiction over proceedings involving the Servicemembers Civil Relief Act, ~~and~~ the Uniformed Services Employment and Reemployment Rights Act and W.S. 19-11-125, which shall be governed by the rules applicable to ordinary proceedings.

(d) The courts shall give preference in scheduling ~~such~~ proceedings pursuant to subsection (c) of this section, upon the motion of any person in the uniformed services, or the person's attorney, who presents certification that the person has performed service in the uniformed services or is in service in the uniformed services.

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**Section 3.** This act is effective July 1, 2018.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk