

## (B) PROTECTIONS.

THE FOLLOWING PROVISIONS OF FEDERAL LAW SHALL BE ADOPTED AS STATE LAW AND APPLIED TO MEMBERS OF THE NATIONAL GUARD:

(1) THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940 APPLIES ONLY WHEN MEMBERS OF THE NATIONAL GUARD ARE ORDERED TO MILITARY DUTY UNDER THIS TITLE OR TITLE 10 OR TITLE 32 OF THE UNITED STATES CODE FOR A PERIOD OF 14 CONSECUTIVE DAYS OR LONGER; AND

(2) THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT APPLIES WHEN MEMBERS OF THE NATIONAL GUARD ARE ORDERED TO MILITARY DUTY UNDER THIS TITLE OR TITLE 10 OR TITLE 32 OF THE UNITED STATES CODE FOR ANY PERIOD OF TIME.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 65, § 32A.

In subsection (a) of this section, the former reference that the rights of this section are "held distinct from, any and all" rights provided by federal law is deleted as included in the statement that these rights are "in addition to" the rights provided by federal law.

Also in subsection (a) of this section, the former reference to the "Maryland" National Guard is deleted in light of the defined term "National Guard". See § 13-101 of this title. Correspondingly, in the introductory language of subsection (b) and (b)(1) and (2) of this section, the former references to "Maryland Army" National Guard and the "Maryland Air" National Guard are deleted.

In subsections (a) and (b)(1) of this section, the former references to the Soldiers' and Sailors' Civil Relief Act of 1940 "(SSCRA), as amended, Sections 501 through 593 of Title 50 of the United States Code" are deleted in light of Art. 1, § 21 and for consistency with the other revised articles of the Code. Similarly, in subsections (a) and (b)(2) of this section, the former references to The Uniformed Services Employment and Reemployment Rights Act "(USERRA), as amended, Sections 4301 through 4333 of Title 38 of the United States Code" is deleted.

In subsections (b)(1) and (2) of this section, the references to this "title" are substituted for the references to this "article" to reflect that former Article 65 is revised in this title.

Defined term: "National Guard" § 13-101

13-706. RELIEF FROM DUTY IN MILITIA WHILE IN SERVICE OF UNITED STATES.

## (A) IN GENERAL.

A MEMBER OF THE ORGANIZED MILITIA ORDERED INTO THE ACTIVE MILITARY SERVICE OF THE UNITED STATES IS RELIEVED FROM DUTY IN THE ORGANIZED MILITIA DURING ACTIVE MILITARY SERVICE OF THE UNITED STATES.