Section 32A

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 10–404

Annotated Code of Maryland

(1997 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 32A of Article 65 – Militia of the Annotated Code of Maryland be repealed.

SECTION 2.   AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 65 – Militia

32A.

(A)   (1)   THE FOLLOWING PROVISIONS OF FEDERAL LAW SHALL BE ADOPTED AS STATE LAW AND APPLIED TO MEMBERS OF THE MARYLAND ARMY NATIONAL GUARD AND THE MARYLAND AIR NATIONAL GUARD.

(2)   THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940 (SSCRA), AS AMENDED, SECTIONS 501 THROUGH 593 OF TITLE 50 OF THE UNITED STATES CODE, SHALL APPLY ONLY WHEN MEMBERS OF THE MARYLAND ARMY NATIONAL GUARD AND THE MARYLAND AIR NATIONAL GUARD ARE ORDERED TO MILITARY DUTY UNDER THIS ARTICLE, OR UNDER TITLE 10 OR TITLE 32 OF THE UNITED STATES CODE, FOR A PERIOD OF 14 CONSECUTIVE DAYS OR LONGER.

(3)   THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA), AS AMENDED, SECTIONS 4301 THROUGH 4333 OF TITLE 38 OF THE UNITED STATES CODE, SHALL APPLY WHEN MEMBERS OF THE MARYLAND ARMY NATIONAL GUARD AND THE MARYLAND AIR NATIONAL GUARD ARE ORDERED TO MILITARY DUTY UNDER THIS ARTICLE, OR UNDER TITLE 10 OR TITLE 32 OF THE UNITED STATES CODE, FOR ANY PERIOD OF TIME.

(B)   ALL RIGHTS GRANTED TO MEMBERS OF THE MARYLAND NATIONAL GUARD BY THIS SECTION SHALL BE IN ADDITION TO, AND HELD DISTINCT FROM, ANY AND ALL RIGHTS GRANTED TO THEM BY FEDERAL LAW, INCLUDING THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT OF 1940 (SSCRA), AS AMENDED, SECTIONS 501 THROUGH 593 OF TITLE 50 OF THE UNITED STATES CODE AND THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA), AS AMENDED, SECTIONS 4301 THROUGH 4333 OF TITLE 38 OF THE UNITED STATES CODE.

SECTION 3.   AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: