

Chapter 1 State Militia

39-1-36 Reserve member of armed forces -- Leave of absence from employment -- Liability of employers.

- (1) Any member of a reserve component of the armed forces of the United States who pursuant to military orders enters active duty, active duty for training, inactive duty training, or state active duty shall upon request be granted a leave of absence from employment, but for no more than five years.
- (2) Upon satisfactory release from the training or from hospitalization incidental to the training, the member shall be permitted to return to the prior employment with the seniority, status, pay, and vacation the member would have had as an employee if he had not been absent for military purposes.
- (3) Any employer who willfully deprives an employee who is absent as a member under Subsection (1) of any of the benefits under Subsection (2) or discriminates in hiring for any employment position, public or private, based on membership in any reserve component of the armed forces, is guilty of a class B misdemeanor.

Amended by Chapter 15, 1989 General Session

39-1-64 Extension of licenses for members of National Guard and reservists.

- (1) As used in this section, "license" means any license issued under:
 - (a) Title 58, Occupations and Professions; and
 - (b) Section 26-8a-302.
- (2) Any license held by a member of the National Guard or reserve component of the armed forces that expires while the member is on active duty shall be extended until 90 days after the member is discharged from active duty status.
- (3) The licensing agency shall renew a license extended under Subsection (2) until the next date that the license expires or for the period that the license is normally issued, at no cost to the member of the National Guard or reserve component of the armed forces if all of the following conditions are met:
 - (a) the National Guard member or reservist requests renewal of the license within 90 days after being discharged;
 - (b) the National Guard member or reservist provides the licensing agency with a copy of the member's or reservist's official orders calling the member or reservist to active duty, and official orders discharging the member or reservist from active duty; and
 - (c) the National Guard member or reservist meets all the requirements necessary for the renewal of the license, except the member or reservist need not meet the requirements, if any, that relate to continuing education or training.
- (4) The provisions of this section do not apply to regularly scheduled annual training.

Enacted by Chapter 82, 2004 General Session