

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 580

BY EDUCATION COMMITTEE

AN ACT

RELATING TO MILITARY LEAVE FOR PUBLIC SCHOOL DISTRICT AND PUBLIC CHARTER SCHOOL EMPLOYEES; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-527, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING MILITARY LEAVE; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5216, IDAHO CODE, TO ESTABLISH A PROVISION REGARDING MILITARY LEAVE; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 5, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-527, Idaho Code, and to read as follows:

33-527. MILITARY LEAVE. (1) Any Idaho public school district or public charter school employee who is a member of the militia of this state or any other state, and who is ordered to active duty, training, or other duty by the governor, the adjutant general, or other lawful authority, shall be entitled to the same benefits and protections given to persons in the uniformed services as provided in 38 U.S.C. 4301-4313 and 4316-4319.

(2) Any Idaho public school district or public charter school employee who is a member of the uniformed services as that term is defined in 38 U.S.C. 4303, the reserve components, or the militia of this state or any other state, and who is ordered to active duty, training, or other performance of duty requiring absence from work shall be entitled to a minimum of ten (10) contract days of paid military leave each school year. Military leave shall be authorized when the employee submits a copy of the orders or other official documentation from the appropriate military authority that indicate the dates of voluntary or involuntary service.

(3) Any Idaho public school district or public charter school employee with available annual or vacation leave is entitled to use the leave for compensation during a term of military service.

(4) Any Idaho public school district or public charter school may establish an employment right or benefit that is more beneficial than, or is in addition to, a right or benefit provided under this section.

SECTION 2. That Chapter 52, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-5216, Idaho Code, and to read as follows:

33-5216. MILITARY LEAVE. Public charter schools shall comply with the provisions of section 33-527, Idaho Code.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.