

## 2014 SESSION: ATTORNEY GENERAL REQUEST LEGISLATION

### STRENGTHENING ECONOMIC PROTECTIONS FOR VETERANS AND MILITARY PERSONNEL



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#### OBJECTIVE

Incorporate existing federal protections into state laws to protect military personnel, veterans, and their families.

#### PROBLEM

Protections under state law for military service members called to active duty are less than those provided under federal law. This inequality means that service members whose active duty orders are signed by the Governor are less protected than those whose active duty orders are signed by the President.

#### BACKGROUND

The federal Servicemembers Civil Relief Act (SCRA) provides various financial and legal protections for military service members ordered to federal active duty. These protections allow the men and women who bravely serve in our Armed Forces to focus their full attention on their military responsibilities without adverse consequence for themselves or their families.

In 2010, Congress amended the SCRA to clarify that a private right of action exists, and granted authority to the U.S. Department of Justice to enforce SCRA protections that raise an issue of significant public importance.

Washington's state version of the Service Members' Civil Relief Act (RCW 38.42) does not include provisions similar to the 2010 federal amendments and is silent on who has the authority to affirmatively seek enforcement.

#### LEGISLATION (SB 5989 / HB 2171)

This legislation will strengthen the protections available to Washington's veterans and military personnel by:

- Clarifying that military service members have a private right of action to enforce their rights under the Washington Service Members' Civil Relief Act.
- Authorizing the Attorney General to enforce SCRA protections to provide equal protection for federal and state active duty.
- Correct an outdated reference to a federal law that provides employment and reemployment protections.

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#### SUPPORT

Jointly requested with the  
Office of Governor Jay Inslee

#### ORGANIZATIONS

- Washington Military Department

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