

# HB242 INTRODUCED



1 HB242  
2 LRL2WWA-1  
3 By Representatives Harrison, Paschal  
4 RFD: Judiciary  
5 First Read: 27-Feb-24



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SYNOPSIS:

This bill would make it unlawful to discriminate against members of the active duty military and their immediate families in matters of education, employment, health insurance, retirement benefits, residential and auto leases, financial protection, public utilities, and public accommodations.

This bill would prohibit persons providing educational services from requiring increased application fees or tuition for service members and their immediate family members.

This bill would prohibit employers from taking adverse employment action based solely on military status against a servicemember or members of his or her immediate family.

This bill would require employers providing retirement benefits to treat employees, who are servicemembers returning from a period of active duty deployment, as though there was no break in employment.

This bill would prohibit a person from terminating a residential or auto lease while the lessee who is a servicemember is actively deployed.

This bill would require creditors to defer seeking default judgments and other collection activity against deployed servicemembers or their immediate



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29 families during periods of active duty employment.

30 This bill would also create a private cause of  
31 action for discrimination under state law.

32

33 A BILL

34 TO BE ENTITLED

35 AN ACT

36

37 Relating to Military Affairs; to make it unlawful to  
38 discriminate against members of the active duty military and  
39 their immediate families in matters of education, employment,  
40 health insurance and pension benefits, financial protection,  
41 housing, residential and auto leases, public utilities, and  
42 public accommodations and to provide protection in those areas  
43 during times of active duty deployment.

44 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

45 Section 1. This article shall be known and may be cited  
46 as the Military Family Support and Anti-Discrimination Act.

47 Section 2. The purpose of this act is to make it  
48 unlawful to discriminate against members of the active duty  
49 military and their immediate families in matters of education,  
50 health insurance and retirement benefits, financial  
51 protection, housing, residential and auto leases, public  
52 utilities, and public accommodations.

53 Section 3. For purposes of this article, the following  
54 terms have the following meanings:

55 (1) ACTIVE DUTY DEPLOYMENT. Any movement under military  
56 orders of a servicemember from his or her home station to a



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57 station outside the home station, either within or outside the  
58 United States, for a period in excess of three months.

59 (2) ACTIVE DUTY MILITARY. An active duty or reserve  
60 member of the United State Marine Corps, Army, Navy, Air  
61 Force, Coast Guard, Merchant Marine, Space Force, or state or  
62 national Guard.

63 (3) IMMEDIATE FAMILY MEMBER. The spouse or child of a  
64 servicemember.

65 (4) SERVICEMEMBER. A member of the active duty  
66 military.

67 Section 4. It shall be unlawful to do any of the  
68 following:

69 (1) Education.

70 To require payment of increased application fees or  
71 tuition for educational services to servicemembers or members  
72 of their immediate families.

73 (2) Employment.

74 a. To terminate, to deny initial employment, to fail to  
75 retain, or to fail to promote a servicemember or his or her  
76 immediate family member due to his or her status as a  
77 servicemember or his or her relationship to a servicemember.

78 b. To retaliate in any manner for asserting rights  
79 available to the servicemember or his or her immediate family  
80 member under the Uniformed Services Employment and  
81 Reemployment Rights Act.

82 (3) Housing.

83 a. To refuse to sell or rent, or to refuse to negotiate  
84 the sale or rental of, or to otherwise deny or make



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85 unavailable, any dwelling to a servicemember or his or her  
86 immediate family member.

87 b. To require an increased security deposit when a  
88 potential lessee is a servicemember or his or her immediate  
89 family member.

90 (4) Public Utilities.

91 To require an increased security deposit when a  
92 potential consumer is a servicemember or his or her immediate  
93 family member.

94 (5) Public Accommodation.

95 To refuse to provide public accommodation for a  
96 servicemember or his or her immediate family member who can  
97 present evidence of having received a medical diagnosis of  
98 post-traumatic stress disorder or who has sought or is seeking  
99 mental health services.

100 Section 5. (a) The following affirmative duties shall  
101 be required in any interaction with a servicemember or his or  
102 her immediate family member:

103 (1) Health Insurance and Employment Benefits.

104 Upon reemployment after a period of active duty  
105 deployment, the reemployed servicemember shall be treated as  
106 though there has been no break in service for purposes of  
107 participating in, or vesting and accruing benefits in, an  
108 employer-sponsored pension plan or health insurance plan.

109 (2) Financial Protection.

110 a. A servicemember or his or her immediate family  
111 member shall be provided the opportunity to terminate  
112 residential and automobile leases without penalty upon active



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113 duty deployment.

114           b. Creditors shall defer seeking default judgments and  
115 pursuing evictions, mortgage foreclosures, and the  
116 repossession of property against a servicemember or his or her  
117 immediate family member during periods of active duty  
118 deployment. Servicemembers shall advise creditors of any  
119 change in deployment status within 30 days.

120           Section 6. Engaging in any of the prohibited acts set  
121 forth in Section 4 and failing to comply with any of the  
122 affirmative duties set forth in Section 5 shall create a  
123 private cause of action for discrimination under state law.

124           Section 7. This act shall become effective on October  
125 1, 2024.