

Kansas House Veterans and Military Committee
HB 2464 , Active Duty Service, Contract Termination
Testimony by Martin Dempsey
January 25, 2018

Honorable Chair Osterman and Committee Members, thank you for the opportunity to provide information and ask for your support for the policies espoused in House Bill 2464.

My name is Martin Dempsey; I am the Department of Defense (DoD) Midwest Regional Liaison. I work for the Deputy Assistant Secretary of Defense for Military Community and Family Policy.

Service members are protected as consumers through the federal SCRA; however, the federal law does not protect Service members concerning obligations that occur while on active duty. States can provide additional consumer protections that can mirror and expand the federal SCRA. To date, seven states already do what we are seeking here in HB 2464. Three (3) other states have introduced legislation at this time. We really appreciate your consideration in joining these other states on this initiative.

- The 2003 federal SCRA generally provided protections associated with obligations made prior to federal activation, and generally covered stays of some court proceedings; protection from default judgements, evictions, foreclosures and loss of insurance coverage; and limited certain taxes and obligations made before entering active duty.
- Updates to the SCRA since 2003 extended it to cover residential leases, motor vehicle leases and telephone service contracts entered while on active duty, in order to provide relief to Service members when they deploy or assigned overseas, or in some circumstances where they have a permanent change of station. Other changes have also provided remedies and civil enforcement by the U.S. Attorney General.

Many states have applied several of the protections found in the federal SCRA to members of the National Guard under state activation; however, these protections vary widely. Some states have extended their consumer protections beyond what is included in the federal SCRA through state statutes, and applied these additional protections to Service members on federal active duty as well as state activations.

The provisions in HB 2464 will allow Service members to cancel selected contracts under specified conditions will correct this current deficiency.

Again, thanks to you for taking up this issue, and for your consideration.

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