_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: “AN ACT REVISING LAWS RELATED TO EMPLOYERS WHOSE EMPLOYEES SEEK, ARE APPOINTED TO, OR ARE ELECTED TO A PUBLIC OFFICE; PROHIBITING EMPLOYERS FROM RESTRICTING EMPLOYEES FROM SEEKING ELECTION OR APPOINTMENT TO PUBLIC OFFICE; AND PROHIBITING AN EMPLOYER FROM RESTRICTING CERTAIN EMPLOYEES WHO SERVE DURING A MANDATORY LEAVE OF ABSENCE FOR PUBLIC OFFICE.”

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Employer requirements -- employees -- public office.** (1) In addition to the requirements in 39-2-104, an employer may not prohibit or restrict an employee from seeking election or appointment to a city, county, or state public office or retaliate or discriminate against an employee for seeking election or appointment to a city, county, or state public office.

(2) During an employee's leave of absence while serving as an elected officer or while appointed to a public office under 39-2-104, the employer may not require an employee:

(a) to use leave or benefits during the mandatory leave of absence without the consent of the employee; or

(b) to perform work during the mandatory leave of absence.

(3) If the employer provides a company phone, computer, or phone number and the employer allows the employee's personal use of the company phone, computer, or phone number, the employer may not prohibit the employee's use of the phone, computer, or phone number during the leave of absence provided in 39-2-104.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 39, chapter 2, part 1, and the provisions of Title 39, chapter 2, part 1, apply to [section 1].

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