

1 AN ACT relating to military leave.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 61.394 is amended to read as follows:

4 **(1)** All officers and employees of this state, or of any department or agency thereof who
5 are members of the National Guard or of any reserve component of the Armed
6 Forces of the United States, or of the reserve corps of the United States Public
7 Health Service, shall be entitled to leave of absence from their respective duties,
8 without loss of time, pay, regular leave, impairment of efficiency rating, or of any
9 other rights or benefits to which they are entitled, while:

10 **(a)** In the performance of duty or training in the service of a state or of the United
11 States under competent orders as specified in this section;

12 **(b)** ***Physically disabled as a result of an injury, illness, or disease incurred or***
13 ***aggravated in the line of duty while performing active-duty or inactive-duty***
14 ***training; or***

15 **(c)** ***Entitled to incapacitation pay pursuant to 37 U.S.C. sec. 204.***

16 **Leave pursuant to paragraphs (b) and (c) of this subsection shall not exceed six**

17 **(6) months unless approved by the employee's appointing authority.**

18 **(2)** In any one (1) federal fiscal year, officers or employees, while on military leave,
19 shall, **upon request,** be paid their salaries or compensations for a period or periods
20 not exceeding twenty-one (21) calendar days. Any unused military leave in a federal
21 fiscal year shall be carried over to the next year. Any unused military leave shall
22 expire two (2) years after it has accrued.