



ADMINISTRATIVE RULES OF MONTANA



2.43.2316 RESERVE MILITARY SERVICE

- (1) The following requirements pertain to the purchase of membership service and service credit for the member's reserve military service in the armed forces, including the Army National Guard and the Air National Guard:
 - (a) The member may not purchase any more reserve military service for a one year period than the amount of reserve military service that, when combined with all other earned or purchased service for that one year period,

does not exceed one year of service credit. The reserve military service cannot be purchased if the member has received service credit for the same time period.
 - (b) The member may purchase reserve military service even if that period of service may be, or is, used to determine the member's right to, or amount of, military service retired pay under federal law, as provided by Title 10, chapter 1223 of the United States Code.
 - (c) The member may purchase reserve military time prior to separation from service in the reserves.
- (2) The purchase of service pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994, commonly known as USERRA or the Montana Military Service Employment Rights Act is addressed in ARM 2.43.2315.

Authorizing statute(s): 19-2-403, MCA

Implementing statute(s): 19-3-503, 19-5-410, 19-6-801, 19-7-803, 19-8-901, 19-9-403, 19-13-403, MCA

History: NEW, 1991 MAR p. 2216, Eff. 11/15/91; AMD, 1999 MAR p. 1504, Eff. 7/2/99; AMD, 2000 MAR p. 70, Eff. 1/14/00; AMD, 2004 MAR p. 563, Eff. 3/12/04; AMD & TRANS, from ARM 2.43.437, 2008 MAR p. 2467, Eff. 12/1/08.