

2020—Subsec. (a)(1)(C). Pub. L. 116-158, §1(a), added subpar. (C).

Subsec. (b)(1)(C). Pub. L. 116-158, §1(b)(1), added subpar. (C).

Subsec. (b)(2)(C). Pub. L. 116-158, §1(b)(2), added subpar. (C).

Subsec. (d)(1). Pub. L. 116-158, §1(c), amended par. (1) generally. Prior to amendment, text read as follows: “In the case of a lease described in subsection (b)(1) that provides for monthly payment of rent, termination of the lease under subsection (a) is effective 30 days after the first date on which the next rental payment is due and payable after the date on which the notice under subsection (c) is delivered. In the case of any other lease described in subsection (b)(1), termination of the lease under subsection (a) is effective on the last day of the month following the month in which the notice is delivered.”

Subsec. (i). Pub. L. 116-158, §1(d), which directed amendment of subsec. (i) by inserting “In this section:” before par. (1) without specifying the section being amended, was executed to subsec. (i) of this section, to reflect the probable intent of Congress.

2019—Subsec. (a)(3). Pub. L. 116-92, §545(b), substituted “in subsection (b)” for “in subsection (b)(1)”.

Subsec. (a)(4). Pub. L. 116-92, §545(a), added par. (4).

Subsec. (i)(1). Pub. L. 116-92, §546(1), inserted “(including orders for separation or retirement)” after “official military orders”.

Subsec. (i)(3). Pub. L. 116-92, §546(2), added par. (3).

2018—Subsec. (a). Pub. L. 115-407, §301(1), struck out “by lessee” after “Termination” in heading.

Subsec. (a)(1). Pub. L. 115-407, §301(2), substituted “Termination by lessee” for “In general” in heading.

Subsec. (a)(3). Pub. L. 115-407, §301(3), added par. (3).

2010—Subsec. (e). Pub. L. 111-275, §301, amended subsec. (e) generally. Prior to amendment, text read as follows: “Rents or lease amounts unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. In the case of the lease of a motor vehicle, the lessor may not impose an early termination charge, but any taxes, summonses, and title and registration fees and any other obligation and liability of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear, use and mileage, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.”

Subsec. (h). Pub. L. 111-275, §303(b)(5), amended subsec. (h) generally. Prior to amendment, subsec. (h) related to penalties.

2004—Subsec. (a). Pub. L. 108-454, §704(a), amended subsec. (a) generally, designating existing provisions as par. (1), inserting par. heading, and adding par. (2).

Subsec. (b)(1)(B). Pub. L. 108-454, §704(c), inserted “, or as an individual in support of a military operation,” after “deploy with a military unit”.

Subsec. (b)(2)(B). Pub. L. 108-454, §704(b)(1), substituted “military orders—” for “military orders for a permanent change of station outside of the continental United States or to deploy”, added cl. (i), and inserted “(i) to deploy” before “with a military unit”.

Subsec. (b)(2)(B)(ii). Pub. L. 108-454, §704(c), inserted “, or as an individual in support of a military operation,” after “deploy with a military unit”.

Subsec. (i). Pub. L. 108-454, §704(b)(2), added subsec. (i).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-315, title VII, §7201(b), Jan. 5, 2021, 134 Stat. 5063, provided that: “The amendments made by subsection (a) [amending this section] shall apply to delivery of notice of lease terminations on or after the date the enactment of this Act [Jan. 5, 2021].”

Pub. L. 116-315, title VII, §7202(b), Jan. 5, 2021, 134 Stat. 5064, provided that: “The amendments made by this section [amending this section] shall apply to stop movement orders issued on or after March 1, 2020.”

##### EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116-158, §1(e), Aug. 14, 2020, 134 Stat. 708, provided that: “The amendments made by this section [amending this section] shall apply to stop movement orders issued on or after March 1, 2020.”

##### EFFECTIVE DATE

Section applicable to any case not final before Dec. 19, 2003, see section 3 of Pub. L. 108-189, set out as a note under section 3901 of this title.

### § 3956. Termination of certain consumer contracts

#### (a) Termination by servicemember or dependent of a servicemember

##### (1) Termination

A servicemember may terminate a contract described in subsection (b) at any time after—

(A) the date the servicemember receives military orders to relocate for a period of not less than 90 days to a location that does not support the contract; or

(B) the date the servicemember, while in military service, receives military orders for a permanent change of station, thereafter enters into the contract, and then receives a stop movement order issued by the Secretary of Defense or the Secretary of Homeland Security in response to a local, national, or global emergency, effective for an indefinite period or for a period of not less than 30 days, that prevents the servicemember from using the services provided under the contract.

##### (2) Notice

In the case that a servicemember terminates a contract as described in paragraph (1), the service provider under the contract shall provide such servicemember with written or electronic notice of the servicemember’s rights under such paragraph.

##### (3) Manner of termination

Termination of a contract under paragraph (1) shall be made by delivery of a written or electronic notice of such termination and a copy of the servicemember’s military orders to the service provider, delivered in accordance with industry standards for notification of terminations, together with the date on which the service is to be terminated.

##### (4) Additional individuals covered

For purposes of this section, the following individuals shall be treated as a servicemember covered by paragraph (1):

(A) A spouse or dependent of a servicemember who dies while in military service or a spouse or dependent of a member of the reserve components who dies while performing duty described in subparagraph (C).

(B) A spouse or dependent of a servicemember who incurs a catastrophic injury or illness (as that term is defined in section 439(g) of title 37), if the servicemember incurs the catastrophic injury or illness while in military service or performing duty described in subparagraph (C).

(C) A member of the reserve components performing military service or performing full-time National Guard duty, active Guard and Reserve duty, or inactive-duty training (as such terms are defined in section 101(d) of title 10).

(D) The spouse or dependent of a servicemember, described in paragraph (1)(B), who accompanies such servicemember during the period of relocation.

**(b) Covered contracts**

A contract described in this subsection is a contract—

(1) for—

- (A) commercial mobile service;
  - (B) telephone exchange service;
  - (C) internet access service;
  - (D) multichannel video programming service;
  - (E) a gym membership or fitness program;
- or
- (F) home security services; and

(2) entered into by a servicemember before receiving the military orders referred to in subsection (a)(1).

**(c) Retention of telephone number**

In the case of a contract for commercial mobile service or telephone exchange service terminated under subsection (a) by a servicemember whose period of relocation is for a period of three years or less, the service provider under the contract shall, notwithstanding any other provision of law, allow the servicemember to keep the telephone number the servicemember has under the contract if the servicemember re-subscribes to the service during the 90-day period beginning on the last day of such period of relocation.

**(d) Family plans**

In the case of a contract for commercial mobile service entered into by any individual in which a servicemember is a designated beneficiary of the contract, the individual who entered into the contract may terminate the contract—

(1) with respect to the servicemember if the servicemember is eligible to terminate contracts pursuant to subsection (a); and

(2) with respect to all of the designated beneficiaries of such contract if all such beneficiaries accompany the servicemember during the servicemember's period of relocation.

**(e) Other obligations and liabilities**

**(1) In general**

For any contract terminated under this section, the service provider under the contract may not impose an early termination charge, but any tax or any other obligation or liability of the servicemember that, in accordance with the terms of the contract, is due and unpaid or unperformed at the time of termination of the contract shall be paid or performed by the servicemember.

**(2) Reinstatement of service**

If the servicemember re-subscribes to the service provided under a covered contract during the 90-day period beginning on the last day

of the servicemember's period of relocation, the service provider may not impose a charge for reinstating service, other than the usual and customary charges for the installation or acquisition of customer equipment imposed on any other subscriber.

**(3) Return of provider-owned equipment**

If a servicemember terminates a contract under subsection (a), the servicemember shall return any provider-owned consumer premises equipment to the service provider not later than 10 days after the date on which service is disconnected.

**(f) Return of advance payments**

Not later than 60 days after the effective date of the termination of a contract under this section, the service provider under the contract shall refund to the servicemember any fee or other amount to the extent paid for a period extending until after such date, except for the remainder of the monthly or similar billing period in which the termination occurs.

**(g) Definitions**

For purposes of this section:

(1) The term “commercial mobile service” has the meaning given that term in section 332(d) of title 47.

(2) The terms “military orders” and “permanent change of station” have the meanings given such terms in section 3955 of this title.

(3) The term “multichannel video programming service” means a subscription video service offered by a multichannel video programming distributor, as that term is defined in section 522 of title 47, over a system the distributor owns or controls.

(4) The term “provider-owned consumer premises equipment” means any equipment that a provider of internet access service or multichannel video programming service rents or loans to a customer during the provision of that service, including gateways, routers, cable modems, voice-capable modems, CableCARDs, converters, digital adapters, remote controls, and any other equipment provided.

(5) The term “telephone exchange service” has the meaning given that term under section 153 of title 47.

(Oct. 17, 1940, ch. 888, title III, §305A, as added Pub. L. 110-389, title VIII, §805(a), Oct. 10, 2008, 122 Stat. 4188; amended Pub. L. 111-275, title III, §302(a), Oct. 13, 2010, 124 Stat. 2875; Pub. L. 115-407, title III, §304(a), Dec. 31, 2018, 132 Stat. 5374; Pub. L. 116-285, §2, Jan. 5, 2021, 134 Stat. 4878; Pub. L. 117-333, §17(a), Jan. 5, 2023, 136 Stat. 6136.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 535a of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2023—Pub. L. 117-333, §17(a)(1), substituted “certain consumer” for “telephone, multichannel video programming, and internet access service” in section catchline.

Subsec. (a). Pub. L. 117-333, § 17(a)(2)(A), inserted “or dependent of a servicemember” after “servicemember” in heading.

Subsec. (a)(1). Pub. L. 117-333, § 17(a)(2)(B), substituted “after—” for “after the date the servicemember receives military orders to relocate for a period of not less than 90 days to a location that does not support the contract.” and added subpars. (A) and (B).

Subsec. (a)(4)(D). Pub. L. 117-333, § 17(a)(2)(C), added subpar. (D).

Subsec. (b). Pub. L. 117-333, § 17(a)(3), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “A contract described in this subsection is a contract for commercial mobile service, telephone exchange service, internet access service, or multichannel video programming service entered into by the servicemember before receiving the military orders referred to in subsection (a)(1).”

Subsec. (g)(2) to (5). Pub. L. 117-333, § 17(a)(4), added par. (2) and redesignated former pars. (2) to (4) as (3) to (5), respectively.

2021—Subsec. (a)(4). Pub. L. 116-285 added par. (4).

2018—Pub. L. 115-407, § 304(a)(1), inserted “, multichannel video programming, and internet access” after “telephone” in section catchline.

Subsec. (b). Pub. L. 115-407, § 304(a)(2), substituted “commercial mobile service, telephone exchange service, internet access service, or multichannel video programming service” for “cellular telephone service or telephone exchange service”.

Subsec. (c). Pub. L. 115-407, § 304(a)(3), inserted “for commercial mobile service or telephone exchange service” before “terminated”.

Subsec. (d). Pub. L. 115-407, § 304(a)(4), substituted “commercial mobile service” for “cellular telephone service” in introductory provisions.

Subsec. (e). Pub. L. 115-407, § 304(a)(5), designated first sentence of existing provisions as par. (1) and second sentence of existing provisions as par. (2), inserted headings, and added par. (3).

Subsec. (g). Pub. L. 115-407, § 304(a)(6), added pars. (1) to (3), redesignated former par. (2) as (4), and struck out former par. (1) which read as follows: “The term ‘cellular telephone service’ means commercial mobile service, as that term is defined in section 332(d) of title 47.”

2010—Pub. L. 111-275 amended section generally, substituting provisions relating to termination of telephone service contracts for provisions relating to termination or suspension of contracts for cellular telephone service.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2023 AMENDMENT; RETROACTIVE APPLICATION

Pub. L. 117-333, § 17(b), Jan. 5, 2023, 136 Stat. 6137, provided that: “The amendments made by this section [amending this section] shall apply to stop movement orders issued on or after March 1, 2020.”

#### § 3957. Protection of life insurance policy

##### (a) Assignment of policy protected

If a life insurance policy on the life of a servicemember is assigned before military service to secure the payment of an obligation, the assignee of the policy (except the insurer in connection with a policy loan) may not exercise, during a period of military service of the servicemember or within one year thereafter, any right or option obtained under the assignment without a court order.

##### (b) Exception

The prohibition in subsection (a) shall not apply—

(1) if the assignee has the written consent of the insured made during the period described in subsection (a);

(2) when the premiums on the policy are due and unpaid; or

(3) upon the death of the insured.

##### (c) Order refused because of material affect

A court which receives an application for an order required under subsection (a) may refuse to grant such order if the court determines the ability of the servicemember to comply with the terms of the obligation is materially affected by military service.

##### (d) Treatment of guaranteed premiums

For purposes of this subsection, premiums guaranteed under the provisions of subchapter IV of this chapter shall not be considered due and unpaid.

##### (e) Misdemeanor

A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, or imprisoned for not more than one year, or both.

(Oct. 17, 1940, ch. 888, title III, § 306, as added Pub. L. 108-189, § 1, Dec. 19, 2003, 117 Stat. 2850; amended Pub. L. 111-275, title III, § 303(b)(6), Oct. 13, 2010, 124 Stat. 2878.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 536 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

A prior section 306 of act Oct. 17, 1940, ch. 888, art. III, as added Oct. 6, 1942, ch. 581, § 12, 56 Stat. 773, related to extension of benefits to dependents, prior to the general amendment of this Act by Pub. L. 108-189. See section 3959 of this title.

##### AMENDMENTS

2010—Subsec. (e). Pub. L. 111-275 amended subsec. (e) generally. Prior to amendment, subsec. (e) related to penalties.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section applicable to any case not final before Dec. 19, 2003, see section 3 of Pub. L. 108-189, set out as a note under section 3901 of this title.

#### § 3958. Enforcement of storage liens

##### (a) Liens

###### (1) Limitation on foreclosure or enforcement

A person holding a lien on the property or effects of a servicemember may not, during any period of military service of the servicemember and for 90 days thereafter, foreclose or enforce any lien on such property or effects without a court order granted before foreclosure or enforcement.

###### (2) Lien defined

For the purposes of paragraph (1), the term “lien” includes a lien for storage, repair, or cleaning of the property or effects of a servicemember or a lien on such property or effects for any other reason.

##### (b) Stay of proceedings

In a proceeding to foreclose or enforce a lien subject to this section, the court may on its own