

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