

House Bill 879

By: Representatives Ridley of the 22<sup>nd</sup>, Bonner of the 73<sup>rd</sup>, Powell of the 33<sup>rd</sup>, Horner of the 3<sup>rd</sup>, Jasperse of the 11<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 3 of Article 1 of Chapter 2 of Title 38 of the Official Code of Georgia  
2 Annotated, relating to the State Defense Force, so as to require per diem pay of no less  
3 than \$25.00 a day for every day of eligible service performed; to provide for a definition; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 3 of Article 1 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated,  
8 relating to the State Defense Force, is amended by revising Code Section 38-2-54, relating  
9 to duties, privileges, and immunities, as follows:

10 "38-2-54.

11 (a) As used in this Code section, the term 'eligible service' means when members and units  
12 of the State Defense Force assemble for drill or other equivalent training, instruction, or  
13 duties during each year and shall participate in field training, encampments, maneuvers,  
14 schools, conferences, civic engagement, or other duties required of members of the State  
15 Defense Force to further the mission of such organization. Notwithstanding any provision  
16 of law to the contrary, such term shall also mean when members and units of the State

17 Defense Force are called to active or special duty by the Governor, in accordance with  
18 Code Section 38-2-25.

19 (b) All duties imposed by the military law or other statutes of the state or by regulations  
20 issued thereunder upon units, commissioned officers, warrant officers, and enlisted  
21 personnel of the organized militia are imposed upon the units, commissioned officers,  
22 warrant officers, and enlisted personnel, respectively, of the State Defense Force. All  
23 rights, privileges, and immunities conferred by the military law or other statutes of the state  
24 or by regulations issued thereunder upon the units, commissioned officers, warrant officers,  
25 and enlisted personnel of the Georgia National Guard or of the organized militia are  
26 conferred upon the units, commissioned officers, warrant officers, and enlisted personnel,  
27 respectively, of the State Defense Force except as otherwise prescribed in this chapter.  
28 Such rights, privileges, and immunities include relief from civil or criminal liability for acts  
29 done while on duty; rights to pay, allowances, and other compensation; expenses and  
30 subsistence; arms, uniforms, and equipment; provision, maintenance, use, and control of  
31 armories; eligibility to appointment on the military staff of the Governor; exemption from  
32 civil process and from jury duty; right of way; right to wear the uniform and to parade with  
33 firearms; and all other rights, privileges, and immunities created by statute or custom not  
34 hereinbefore specifically enumerated. Commissioned officers, warrant officers, and  
35 enlisted personnel of the State Defense Force shall receive a per diem compensation of not  
36 less than \$25.00 a day for every day of eligible service in the State Defense Force."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.