

Senate Bill 208

By: Senators Hill of the 32nd and Loudermilk of the 14th

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 remove the restrictions regarding the
3 right of public officers and employees to be absent for service on the State Defense Force and
4 regarding reemployment rights of persons after service on the State Defense Force; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

11 "38-2-54.

12 All duties imposed by the military law or other statutes of the state or by regulations issued
13 thereunder upon units, commissioned officers, warrant officers, and enlisted personnel of
14 the organized militia are imposed upon the units, commissioned officers, warrant officers,
15 and enlisted personnel, respectively, of the State Defense Force. All rights, privileges, and
16 immunities conferred by the military law or other statutes of the state or by regulations
17 issued thereunder upon the units, commissioned officers, warrant officers, and enlisted
18 personnel of the Georgia National Guard or of the organized militia are conferred upon the
19 units, commissioned officers, warrant officers, and enlisted personnel, respectively, of the
20 State Defense Force except as otherwise prescribed in this chapter; ~~provided, however, that~~
21 ~~the provisions of Code Sections 38-2-279 and 38-2-280 shall not be applicable to personnel~~
22 ~~of the State Defense Force.~~ Such rights, privileges, and immunities include relief from
23 civil or criminal liability for acts done while on duty; rights to pay, allowances, and other
24 compensation; expenses and subsistence; arms, uniforms, and equipment; provision,
25 maintenance, use, and control of armories; eligibility to appointment on the military staff
26 of the Governor; exemption from civil process and from jury duty; right of way; right to

27 wear the uniform and to parade with firearms; and all other rights, privileges, and
28 immunities created by statute or custom not hereinbefore specifically enumerated."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.