

The House Committee on Judiciary offered the following substitute to SB 449:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 38-2-279 of the Official Code of Georgia Annotated, relating to
2 rights of public officers and employees absent on military duty as members of organized
3 militia or reserve forces, so as to provide that agencies may conduct meetings by
4 telecommunications conference when members of an agency are on ordered military duty;
5 to provide that members of an agency on ordered military duty may participate in meetings
6 of the agency by telecommunications conference; to provide that absence on ordered military
7 duty does not constitute vacation of office; to provide for an effective date; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Code Section 38-2-279 of the Official Code of Georgia Annotated, relating to rights of public
11 officers and employees absent on military duty as members of organized militia or reserve
12 forces, is amended by striking subsection (b) and inserting in its place the following:

13 "(b) Every public officer or employee shall be entitled to absent himself or herself and
14 shall be deemed to have a leave of absence from duties or service as a public officer or
15 employee while engaged in the performance of ordered military duty and while going to
16 and returning from such duty. Notwithstanding Code Section 45-5-1 or any other provision
17 of law, a public office shall not be considered vacated or abandoned by a public officer
18 while on ordered military duty."
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SECTION 2.

20 Said Code section is further amended by designating subsection (g) as subsection (h) and
21 inserting a new subsection (g) to read as follows:

22 "(g) Notwithstanding the provisions of Chapter 14 of Title 50, an agency, as defined by
23 subsection (a) of Code Section 50-14-1, shall be authorized to conduct meetings by
24 telecommunications conference in the event that one or more of the agency's members is
25 on ordered military duty at the time of such meeting, provided that any such meeting is
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1 conducted in compliance with such chapter. The members of the agency, including those
2 on ordered military duty, shall be authorized to participate and make decisions during such
3 a telecommunications conference."

4 **SECTION 3.**

5 This Act shall become effective upon its approval by the Governor or upon its becoming law
6 without such approval.

7 **SECTION 4.**

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