

The Senate Veterans and Military Affairs Committee offered the following substitute to SB 258:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-12-1 of the Official Code of Georgia Annotated, relating to
2 exemptions from jury duty, so as to provide that any service member on ordered military
3 duty and his or her spouse may be exempt from jury duty; to amend Article 3 of Chapter 4
4 of Title 26 of the Official Code of Georgia Annotated, relating to the practice of pharmacy,
5 so as to provide that a service member whose license expired while he or she was on duty
6 outside the state may practice pharmacy on such expired license; to amend Code Section
7 27-2-4 of the Official Code of Georgia Annotated, relating to honorary hunting and fishing
8 licenses, so as to provide for an honorary license for returning veterans; to amend Article 2
9 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to the issuance,
10 expiration, and renewal of drivers' licenses, so as to provide that a service member whose
11 driver's license expires while he or she is on military duty outside the state may drive on
12 such expired license for six months; to amend Chapter 1 of Title 43 of the Official Code of
13 Georgia Annotated, relating to general provisions relative to professions and businesses, so
14 as to provide that a service member whose professional license expires while he or she is on
15 military duty outside the state may use such expired license for six months; to amend Article
16 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to general
17 provisions relative to landlord and tenant, so as to provide that under certain circumstances
18 a service member may terminate a residential rental agreement; to amend Article 1 of
19 Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to general
20 provisions relative to telephone and telegraph service, so as to provide that a service member
21 who is transferred may, under certain conditions, terminate a wireless telecommunications
22 contract; to repeal conflicting laws; and for other purposes.

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

1 "43-1-31.

2 (a) As used in this Code section, the term 'service member' means an active duty member
3 of the regular or reserve component of the United States armed forces, the United States
4 Coast Guard, the Georgia National Guard, or the Georgia Air National Guard on ordered
5 federal duty for a period of 90 days or longer.

6 (b) Any service member whose license to practice a profession issued pursuant to any
7 provision of this title expired while such service member was serving on active duty
8 outside the state shall be permitted to practice such profession in accordance with such
9 expired license and shall not be charged with a violation of this title related to practicing
10 a profession with an expired license for a period of six months from the date of his or her
11 discharge from active duty or reassignment to a location within the state. Any such service
12 member shall be entitled to renew such expired license without penalty within six months
13 after the date of his or her discharge from active duty or reassignment to a location within
14 the state. The service member must present to the applicable professional licensing board
15 either a copy of the official military orders or a written verification signed by the service
16 member's commanding officer to waive any charges."

17 **SECTION 6.**

18 Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
19 general provisions relative to landlord and tenant, is amended by inserting at the end thereof
20 a new Code section to read as follows:

21 "44-7-22.

22 (a) As used in this Code section, the term 'service member' means an active duty member
23 of the regular or reserve component of the United States armed forces, the United States
24 Coast Guard, the Georgia National Guard, or the Georgia Air National Guard on ordered
25 federal duty for a period of 90 days or longer.

26 (b) Any service member may terminate his or her residential rental or lease agreement by
27 providing the landlord with a written notice of termination to be effective on the date stated
28 in the notice that is at least 30 days after the landlord's receipt of the notice if any of the
29 following criteria are met:

30 (1) The service member is required, pursuant to a permanent change of station orders,
31 to move 35 miles or more from the location of the rental premises;

32 (2) The service member is released from active duty or state active duty after having
33 leased the rental premises while on active duty status and the rental premises is 35 miles
34 or more from the service member's home of record prior to entering active;

1 (3) After entering into a rental agreement, the service member receives military orders
2 requiring him or her to move into government quarters or the service member becomes
3 eligible to live in and opts to move into government quarters;

4 (4) The service member receives temporary duty orders, temporary change of station
5 orders, or state active duty orders to an area 35 miles or more from the location of the
6 rental premises, provided such orders are for a period exceeding 60 days; or

7 (5) The service member has leased the property but prior to taking possession of the
8 rental premises receives a change of orders to an area that is 35 miles or more from the
9 location of the rental premises.

10 (c) The notice to the landlord pursuant to subsection (b) of this Code section must be
11 accompanied by either a copy of the official military orders or a written verification signed
12 by the service member's commanding officer.

13 (d) In the event a service member dies during active duty, an adult member of his or her
14 immediate family may terminate the service member's residential rental or lease agreement
15 by providing the landlord with a written notice of termination to be effective on the date
16 stated in the notice that is at least 30 days after the landlord's receipt of the notice. The
17 notice to the landlord must be accompanied by either a copy of the official military orders
18 showing the service member was on active duty or a written verification signed by the
19 service member's commanding officer and a copy of the service member's death
20 certificate.

21 (e) Upon termination of a rental agreement under this Code section, the service member
22 is liable for the rent due under the rental agreement prorated to the effective date of the
23 termination payable at such time as would have otherwise been required by the terms of
24 the rental agreement. The service member is not liable for any other rent or damages due
25 to the early termination of the tenancy as provided for in this subpart. Notwithstanding any
26 provision of law to the contrary, if a service member terminates the rental agreement
27 pursuant to this Code section 14 or more days prior to occupancy, no damages or penalties
28 of any kind will be assessable.

29 (f) The provisions of this Code section shall apply to all residential rental or lease
30 agreements entered into on or after July 1, 2005, and to any renewals, modifications, or
31 extensions of such agreements in effect on such date. The provisions of this Code section
32 may not be waived or modified by the agreement of the parties under any circumstances."

33 **SECTION 7.**

34 Article 1 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, relating to
35 general provisions relative to telephone and telegraph service, is amended by inserting at the
36 end thereof the following:

1 "46-5-8.

2 (a) As used in this Code section, the term 'service member' means an active duty member
3 of the regular or reserve component of the United States armed forces, the United States
4 Coast Guard, the Georgia National Guard, or the Georgia Air National Guard on ordered
5 federal duty for a period of 90 days or longer.

6 (b) Any service member may terminate his or her wireless telecommunications service
7 contract by providing the wireless telecommunications provider with a written notice of
8 termination, effective on the date specified in the notice, which date shall be at least 30
9 days after receipt of the notice by the wireless telecommunications provider, if any of the
10 following criteria are met:

11 (1) The service member is required, pursuant to a permanent change of station orders,
12 to move outside the area served by the wireless telecommunications provider or to an area
13 where the type of wireless telecommunications service being provided to the service
14 member is not available from the wireless telecommunications provider;

15 (2) The service member is discharged or released from active duty or state active duty
16 and will return from such duty to an area not served by the wireless telecommunications
17 provider or where the type of telecommunications service contracted for is not available
18 from the wireless telecommunications provider;

19 (3) The service member is released from active duty after having entered into a contract
20 for wireless telecommunications service while on active duty status and the wireless
21 telecommunications provider does not provide telecommunications service or the same
22 type of wireless telecommunications service contracted for in the region of the service
23 member's home of record prior to entering active duty;

24 (4) The service member receives military orders requiring him or her to move outside
25 the continental United States; or

26 (5) The service member receives temporary duty orders, temporary change of station
27 orders, or active duty or state active duty orders to an area not served by the wireless
28 telecommunications provider or where the type of wireless telecommunications service
29 contracted for is not available from the wireless telecommunications provider, provided
30 such orders are for a period exceeding 60 days.

31 (c) The written notice to the wireless telecommunications provider must be accompanied
32 by either a copy of the official military orders or a written verification signed by the service
33 member's commanding officer.

34 (d) Upon termination of a contract under this Code section, the service member is liable
35 for the amount due under the contract prorated to the effective date of the termination
36 payable at such time as would have otherwise been required by the terms of the contract.

1 The service member is not liable for any other fees due to the early termination of the
2 contract as provided for in this Code section.

3 (e) The provisions of this Code section shall apply to any contract for wireless
4 telecommunications service entered into on or after July 1, 2005, and to any renewals,
5 modifications, or extensions of any such contract in effect on such date and may not be
6 waived or modified by the agreement of the parties under any circumstances."

7 **SECTION 8.**

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