

The Senate Veterans, Military, and Homeland Security Committee offered the following substitute to SB 18:

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 that active members of the Civil Air Patrol who are taking part or engaged in official
6 emergency services missions shall have the same rights, privileges, and immunities as
7 members of the State Defense Force; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

13 "38-2-54.

14 All duties imposed by the military law or other statutes of the state or by regulations issued
15 thereunder upon units, commissioned officers, warrant officers, and enlisted personnel of
16 the organized militia are imposed upon the units, commissioned officers, warrant officers,
17 and enlisted personnel, respectively, of the State Defense Force. All rights, privileges, and
18 immunities conferred by the military law or other statutes of the state or by regulations
19 issued thereunder upon the units, commissioned officers, warrant officers, and enlisted
20 personnel of the Georgia National Guard or of the organized militia are conferred upon the
21 units, commissioned officers, warrant officers, and enlisted personnel, respectively, of the
22 State Defense Force and active members of the Civil Air Patrol who are taking part or
23 engaged in official emergency services missions except as otherwise prescribed in this
24 chapter; ~~provided, however, that the provisions of Code Sections 38-2-279 and 38-2-280~~
25 ~~shall not be applicable to personnel of the State Defense Force.~~ Such rights, privileges, and
26

27 immunities include relief from civil or criminal liability for acts done while on duty; rights
28 to pay, allowances, and other compensation; expenses and subsistence; arms, uniforms, and
29 equipment; provision, maintenance, use, and control of armories; eligibility to appointment
30 on the military staff of the Governor; exemption from civil process and from jury duty;
31 right of way; right to wear the uniform and to parade with firearms; and all other rights,
32 privileges, and immunities created by statute or custom not hereinbefore specifically
33 enumerated."

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SECTION 2.

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