

Senate Bill 513

By: Senators Hill of the 32nd, Loudermilk of the 52nd, McKoon of the 29th and Bethel of the 54th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to state government, so as to define certain terms; to provide that
3 the state, any political subdivision, or any member of the Georgia National Guard or State
4 Defense Force shall assist or cooperate with the armed forces of the United States for certain
5 purposes; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general
9 provisions relative to state government, is amended by adding a new Code section to read as
10 follows:

11 "50-1-10.

12 (a) As used in this Code section, the term:

13 (1) 'Georgia authority' means:

14 (A) The state or any department, agency, or authority of the state;

15 (B) A political subdivision of the state;

16 (C) An officer or employee of the state or any political subdivision; or

17 (D) A member of the Georgia National Guard or State Defense Force, when serving
18 on official state duty.

19 (2) 'National Defense Authorization Act for Fiscal Year 2012' means House Resolution
20 1540 enacted by Congress as Public Law 112-18 providing for appropriations for the
21 armed forces for Fiscal Year 2012.

22 (3) 'War Powers Resolution' means that joint resolution of Congress codified in the
23 United States Code as Title 50, Chapter 33, Section 1541, et seq. (Public Law 93-148),
24 as amended.

25 (b) No Georgia authority shall, pursuant to the federal War Powers Resolution, cooperate
26 with or aid the armed forces of the United States in the conduct of the investigation,

27 prosecution, or detention of any citizen as authorized by Section 1021 of the National
28 Defense Authorization Act for Fiscal Year 2012 if such aid would, in the opinion of the
29 responsible individual, place any Georgia authority in violation of the United States
30 Constitution, the Constitution of Georgia, any provision of the Official Code of Georgia
31 Annotated, any act of the General Assembly, or any rule, regulation, or ordinance of a state
32 agency or authority, political subdivision, or local authority."

33 **SECTION 2.**

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

36 **SECTION 3.**

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