Senate Bill 449

By: Senators Dean of the 31st, Starr of the 44th and Marable of the 52nd

AS PASSED

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

SECTION 2.

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

"(g) Notwithstanding the provisions of Chapter 14 of Title 50, an agency, as defined by subsection (a) of Code Section 50-14-1, shall be authorized to conduct meetings by telecommunications conference in the event that one or more of the agency´s members is on ordered military duty at the time of such meeting, provided that any such meeting is

conducted in compliance with such chapter. The members of the agency, including those on ordered military duty, shall be authorized to participate and make decisions during such a telecommunications conference."

SECTION 3.

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

SECTION 4.

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