

House Bill 92

By: Representatives Allison of the 8th, Cooke of the 18th, Kelley of the 16th, Dutton of the 157th, Dudgeon of the 25th, and others

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 38 of the Official Code of Georgia Annotated, relating to general provisions regarding military, emergency management, and veterans affairs, so as to prohibit the state, any political subdivision of the state, any employee of the state or of a political subdivision of the state, and any member of the Georgia National Guard or State Defense Force while on official state duty to assist any agency of or the armed forces of the United States in the execution of 50 U.S.C. Section 1541; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 38 of the Official Code of Georgia Annotated, relating to general provisions regarding military, emergency management, and veterans affairs, is amended by adding a new Code section to read as follows:

"38-1-3.

Notwithstanding any provision of law to the contrary, no agency of this state, no political subdivision of this state, no employee of an agency of this state or of a political subdivision of this state acting in his or her official capacity, and no member of the Georgia National Guard or State Defense Force on official state duty shall engage in any activity that aids an agency of or the armed forces of the United States in the execution of 50 U.S.C. Section 1541 as provided by the federal National Defense Authorization Act for Fiscal Year 2012 (P. L. 112-81, Section 1021) in the investigation, prosecution, or detainment of any citizen of the United States in violation of the Georgia Constitution."

SECTION 2.

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

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SECTION 3.

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All laws and parts of laws in conflict with this Act are repealed.