

The House Committee on Defense and Veterans Affairs offers the following substitute to HB 831:

A BILL TO BE ENTITLED
AN ACT

To amend Part 4 of Article 3 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to rights, privileges, and prohibitions for certain military personnel, so as to require that private employers reemploy certain members of the National Guard of another state who have been discharged or suspended from employment by his or her employer due to being called into active state service; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and cited as the "Protecting Guardsmen's Employment Act."

SECTION 2.

Part 4 of Article 3 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to rights, privileges, and prohibitions for certain military personnel, is amended by revising subsection (d) of Code Section 38-2-280, relating to reemployment in private industry, various types of absences, injunction to compel, and Attorney General's aid, as follows:

"(d) The benefits, rights, and privileges granted to persons in the military service by this Code section shall be extended to and be applicable to any person who is a member of the Georgia National Guard and who is called into active state service ~~pursuant to~~ by the commander-in-chief of such force for a purpose identified in subsection (a) or (b) of Code Section 38-2-6 or Code Section 38-2-6.1 or who has been called to state-sponsored active duty as part of the National Guard of another state by that state's Governor, and who because of such active state service is discharged by his or her employer or whose employment is suspended by his or her employer because of such active state service and who, being qualified to perform the duties of the position, makes application for reemployment or termination of the period of his or her suspension within ten days after

26 such discharge or suspension. In the event that the member of the Georgia National Guard
27 or a member of any other reserve component of the armed forces of the United States is
28 serving in active state service at the time of receipt of notice of the discharge or suspension
29 the aforesaid ten-day period within which application must be made shall not commence
30 to run until the day next following the date of termination of such active state service."

31 **SECTION 3.**

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