2024 Regular Session

HOUSE BILL NO. 564

BY REPRESENTATIVE GALLE

MILITARY AFFAIRS/NATL GD: Requires that certain congressional actions occur before members of the La. National Guard may be released from state control to participate in active duty combat

1	AN ACT
2	To amend and reenact R.S. $29:7(A)(1)(f)$, (2), and (3) and to enact R.S. $29:7(A)(4)$, relative
3	to military affairs; to require an official declaration of war or congressional
4	authorization in order to activate the Louisiana National Guard for active combat
5	duty in defense of the United States; to provide relative to the powers and duties of
6	the governor; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 29:7(A)(1)(f), (2), and (3) is hereby amended and reenacted and R.S.
9	29:7(A)(4) is hereby enacted to read as follows:
10	§7. Calling militia for active service by governor; homeland security and emergency
11	preparedness; public emergency
12	A.(1) The governor may, with or without a declaration of emergency, order
13	into the active service of the state any part of the National Guard, Louisiana State
14	Guard, or militia:
15	* * *
16	(f) In response to a national or state emergency or a congressional
17	authorization or presidential declaration pursuant to the War Powers Resolution (50
18	U.S.C. 1541 et seq.) .
19	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(2) The governor shall order the Louisiana National Guard into active
2	combat duty in defense of the United States only if congress has authorized or the
3	president has declared war pursuant to the War Powers Resolution (50 U.S.C. 1541
4	et seq.).
5	(2) (3) For any of the reasons provided for in this Section, the governor may
6	order the active National Guard into the active service of the state in either a state
7	active duty status or to active duty pursuant to Title 32 of the United States Code, if
8	Title 32 duty is approved by national command authorities.
9	(3) (4) The adjutant general may order into the active service of the state any
10	member or unit of the National Guard or Louisiana State Guard for nonemergency
11	purposes which are necessary and attendant to the mission of the state Military
12	Department.
13	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Requires an official declaration of war or congressional authorization for the La. National Guard to be called into active combat duty in defense of the U.S.

<u>Present law</u> provides that the governor may order state militia into active duty service under various circumstances.

<u>Proposed law</u> retains <u>present law</u> but requires an official declaration of war or congressional authorization for the La. National Guard to be called into active combat duty in defense of the U.S.

(Amends R.S. 29:7(A)(1)(f), (2), and (3); Adds R.S. 29:7(A)(4))