

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 350

Session of  
1975

INTRODUCED BY MESSRS. McCUE, GLEASON, PETRARCA, SHUMAN, GEESEY, WRIGHT, S. E. HAYES JR., FISCHER, M. M. MULLEN, COLE, ZELLER, MISCEVICH, MCINTYRE, PRENDERGAST, GILLESPIE, LaMARCA, WARGO, LYNCH, SALVATORE, CIMINI, PYLES, HOPKINS, KATZ, MRKONIC, DeMEDIO AND NOVAK, FEBRUARY 10, 1975

REFERRED TO COMMITTEE ON VETERANS AFFAIRS, FEBRUARY 10, 1975

### AN ACT

1 Amending the act of May 27, 1949 (P.L.1903, No.568), entitled  
2 "An act providing for powers, responsibilities, duties and  
3 limitations of the Governor, Adjutant General, Department of  
4 Military Affairs, Pennsylvania State Armory Board, Military  
5 Reservation Commission in connection with the armed Military  
6 and Naval forces and the internal security of the  
7 Commonwealth; for the definition, organization, powers and  
8 limitations of the unorganized militia, Pennsylvania National  
9 Guard, Pennsylvania Guard, Naval Militia, Pennsylvania Naval  
10 Militia and for coordination with the government of the  
11 United States in the organization and functioning of the  
12 Pennsylvania National Guard and the National Guard of the  
13 United States apportioned the Commonwealth," providing legal  
14 assistance to certain members of the Pennsylvania National  
15 Guard.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. The act of May 27, 1949 (P.L.1903, No.568), known  
19 as "The Military Code of 1949," is amended by adding a section  
20 to read:

21 Section 834.1. Legal Aid.--Members of the Pennsylvania  
22 National Guard on State duty for confrontation management shall  
23 receive legal assistance from the Commonwealth for any charge of

1 criminal or civil liability resulting from their duty. The  
2 assistance shall be limited to members acting under lawful  
3 orders or on good faith reliance on an order which a reasonable  
4 person would consider to be lawful under the circumstances. No  
5 assistance shall be provided by the Commonwealth when the  
6 Pennsylvania National Guard is called into the service of the  
7 United States.