

AMENDMENTS TO HOUSE BILL NO. 2412

Sponsor: REPRESENTATIVE C. WILLIAMS

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1 Amend Bill, page 1, lines 1 through 24, by striking out all
2 of said lines and inserting

3 Amending Title 51 (Military Affairs) of the Pennsylvania
4 Consolidated Statutes, in the Governor as Commander-in-Chief,
5 providing for use of Pennsylvania National Guard for special
6 State duty; and making a related repeal.

7 Amend Bill, page 1, line 27; page 2, lines 1 through 30; page
8 3, lines 1 through 25; by striking out all of said lines on said
9 pages and inserting

10 Section 1. Title 51 of the Pennsylvania Consolidated
11 Statutes is amended by adding a section to read:
12 § 506.1. Use of Pennsylvania National Guard for special State
13 duty.

14 (a) Authorization.--The Governor may place, or delegate
15 authority to the Adjutant General to order, any volunteer member
16 of the Pennsylvania National Guard or, if unavailable due to
17 call or order into the service of the United States, any member
18 of the Pennsylvania Guard on special State duty to respond to
19 community needs, support Commonwealth functions and ceremonies,
20 participate in courts-martial and board functions, support State
21 and local governments and designated critical infrastructure
22 with cybersecurity functional support and nongovernmental and
23 educational institutions with cyber training or exercises and
24 perform other necessary military duties to the extent that money
25 is appropriated and available for special State duty.

26 (b) Report.--

27 (1) If members of the Pennsylvania National Guard or
28 Pennsylvania Guard are ordered to special State duty in
29 support of Federal, State and local cybersecurity functions,
30 operations or training or exercise support, the Governor
31 shall annually, by April 1, submit a report to the General
32 Assembly setting forth the following, which shall protect the
33 security of sensitive information:

34 (i) the types of cybersecurity operations and
35 training performed;

(ii) the name and type of organizations supported;
(iii) the number and types of personnel involved;
(iv) the types of equipment and systems utilized;

and

(v) problems encountered in matters of jurisdiction,
command and control, hostile encounters and operation
approval procedures.

(2) The report shall include a breakdown of support
provided in the normal course of training and support
substantially equivalent to training.

(c) Limitation.--Special State duty shall not be provided if
the provision of the support will adversely affect the ability
of the Pennsylvania National Guard or Pennsylvania Guard to
perform its primary military-preparedness missions.

(d) Adjutant General.--In addition to the powers and duties
of the Adjutant General under this title, the Adjutant General
is authorized and directed to order members of the Pennsylvania
National Guard to special State duty under subsection (a).

(e) Pay and allowances.--Officers and enlisted personnel
ordered on special State duty for which pay is authorized under
the order prescribing the performance of duty shall receive the
pay and allowances of their respective grades during the time
the duty is ordered. The pay authorized under this subsection
may not be less than \$100 per day.

(f) Definitions.--As used in this section, the following
words and phrases shall have the meanings given to them in this
subsection unless the context clearly indicates otherwise:

"Special State duty." State military duty by the
Pennsylvania military forces as authorized under this section.
The term does not include active State duty authorized under
section 508 (relating to active duty for emergency) or duty
authorized and funded under 10 U.S.C. (relating to Armed Forces)
and 32 U.S.C. (relating to National Guard).

Section 2. Repeals are as follows:

(1) The General Assembly declares that the repeal under
paragraph (2) is necessary to effectuate the addition of 51
Pa.C.S. § 506.1.

(2) Section 1415 of the act of April 9, 1929 (P.L.177,
No.175), known as The Administrative Code of 1929, is
repealed.

Section 3. This act shall take effect in 60 days.