



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

SB-1435 State military: officer commissions. (2017-2018)

SHARE THIS:  

Date Published: 09/17/2018 09:00 PM

Senate Bill No. 1435

CHAPTER 421

An act to amend Section 233 of the Military and Veterans Code, relating to the state military.

[Approved by Governor September 14, 2018. Filed with Secretary of State September 14, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1435, Dodd. State military: officer commissions.

Existing law establishes within state government a Military Department headed by an Adjutant General. Existing law includes within the Military Department the office of the Adjutant General, the California National Guard, the State Military Reserve, the California Cadet Corps, and the Naval Militia. Existing law requires an officer who desires to resign to submit his or her resignation to the Governor. Among others, existing law authorizes the Governor to refuse to accept a resignation in time of war or when war is imminent, in time of civil stress or emergency, or on account of the exigencies of the service.

This bill would revise and recast that provision to instead provide that the Governor under those circumstances may instead refuse to accept a resignation from an officer when the officer is mobilized for deployment on state or federal duty, or notified of impending mobilization for state or federal military duty.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 233 of the Military and Veterans Code is amended to read:

233. An officer who desires to resign shall submit his or her resignation to the Governor, whose action thereon shall be final. The Governor may refuse to accept a resignation when the officer is under investigation, under charges, awaiting the result of a trial, absent without leave, absent in the hands of civil authorities, in default with respect to state or federal funds or property, mobilized for deployment on state or federal duty, or notified of impending mobilization for state or federal military duty.