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## SENATE COMMITTEE ON VETERANS AFFAIRS

Senator Bob Archuleta, Chair

2019 - 2020 Regular

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**Bill No:** AB 2193 **Hearing Date:** 8/10/20  
**Author:** Committee on Veterans Affairs  
**Version:** 2/11/20 Introduced  
**Urgency:** No **Fiscal:** No  
**Consultant:** Veronica Badillo

**Subject:** Military: State Guard

### DESCRIPTION

#### Summary:

Changes the name of the State Military Reserve (SMR) to the State Guard.

#### Existing law:

Authorizes the Governor to organize and maintain the SMR when necessary to defend and for the security of the state during a period in which any part of the National Guard is in active federal service, or when Congress consents. The Governor is authorized to maintain the SMR at cadre strength at any time. The SMR is part of the active militia of the state along with the National Guard and the Naval Militia.

#### This bill:

Changes each mention of the "State Military Reserve" in statute – in the Education, Government, Military and Veterans, and Revenue and Taxation Codes – to "State Guard."

### BACKGROUND

Federal law authorizes the states – as well as Washington, D.C. and specified territories – to organize and maintain defense forces within their respective jurisdictions, but which may not be "called, ordered, or drafted into the armed forces." These defense forces are not reserve components of the United States (U.S.) Armed Forces, nor state National Guards, though they may be organized within a state's military department, as in California.

California has had a state defense force under several different names. First as the "California State Defense Guard," but more widely known as the "California Home Guard," then by World War II, the "California State Guard." In 1951, it was changed to the "California National Guard Reserve" before being renamed again in 1963 to the "State Military Reserve."

The State Military Reserve is an all-volunteer body, and currently has about 1,200 members. It assists civil authorities during domestic emergencies and with the mobilization and demobilization of the National Guard. SMR members are generally

uncompensated, though be reimbursed for certain travel costs. SMR members may be ordered to Emergency State Active Duty, for which they are compensated. Members of the SMR are not necessarily veterans or members of the U.S. Armed Forces, though they may be.

The Adjutant General changed the name of the "State Military Reserve" administratively in May 2019 to the "State Guard," citing his authority under Government Code Section 11152. In the memorandum ordering the change, the Adjutant General cited a need for greater cohesion between units of the Military Department, and confusion that arises from the name. Specifically, the Adjutant General noted that the new name was consistent with other states. A consensus does emerge from the names used by other states. 10 of 22 states with state-level guards use the name "State Guard," others use varieties of "Defense Force" or "Militia" "Military Reserve." Another 15 state forces that are now inactive use "State Guard."

### **POSITIONS**

**Sponsor:** Author.

**Support:** None on file.

**Oppose:** None on file.

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