

CHAPTER 110

(SB 161)

AN ACT relating to National Guard leadership.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 36.025 is amended to read as follows:

- (1) ***For the Army National Guard, the***~~The~~ Governor, with the recommendation of the adjutant general, may appoint a deputy adjutant general ***and an assistant adjutant general***~~for the Army National Guard and a deputy adjutant general for the Air National Guard~~, who at the time of appointment shall be at least thirty (30) years of age and shall be serving as a commissioned officer in the Kentucky National Guard. The Governor shall issue a commission to each such deputy adjutant general ***and assistant adjutant general*** in the grade of brigadier general, provided such individual is qualified for federal recognition in that grade. ~~{The position of deputy adjutant general shall require full-time employment in the Department of Military Affairs.}~~***The adjutant general, in his or her discretion, may require either the deputy or assistant adjutant general to serve as a full-time employee in the Department of Military Affairs.*** The deputy ~~adjutant~~~~adjutants~~ general ***or assistant adjutant general who serves as an employee of the department may***~~shall~~ be compensated at the base rate of pay, not including subsistence and quarters allowances, as provided in KRS 38.205, or as prescribed in KRS 64.640.
- (2) ***For the Air National Guard, the***~~The~~ Governor, with the recommendation of the adjutant general, may appoint an assistant adjutant general ~~for the Army National Guard~~ ***and a chief-of-staff***~~an assistant adjutant general for the Air National Guard~~, who at the time of appointment shall be at least thirty (30) years of age and shall be serving as a commissioned officer in the Kentucky National Guard. The Governor shall issue a commission to each such assistant adjutant general ***and chief-of-staff*** in the grade of brigadier general, provided such individual is qualified for federal recognition in that grade. ***The adjutant general, in his or her discretion, may require either the assistant adjutant general or chief-of-staff to serve as a full-time employee in the Department of Military Affairs.*** The assistant ~~adjutant~~~~adjutants~~ general ***or chief-of-staff who serves as an employee of the department may*** be compensated ***at the base rate of pay, not including subsistence and quarters allowances***~~for all state service performed by them~~, as provided in KRS 38.205, ***or as prescribed in KRS 64.640.***

➔Section 2. KRS 36.030 is amended to read as follows:

The office of the adjutant general, deputy adjutant general, ***chief-of-staff***, or assistant adjutants general shall not necessarily be incompatible with or serve to vacate the commission in the Kentucky National Guard held by the officer appointed as the adjutant general, deputy adjutant general, ***chief-of-staff***, or assistant adjutant general at the time of his appointment, nor shall it be incompatible with any office of the National Guard to which he might be promoted or appointed, nor interfere with or prevent his attending to the duties of the office held at the time or to which he may thereafter be promoted or appointed.

Signed by Governor March 24, 2021.