

152 to a member of the Utah National Guard for the purpose of recruitment and retention, if, at the  
153 time the individual receives the assistance, the individual is an active member in good standing  
154 with the Utah National Guard.

155 (2) The adjutant general may award recruitment and retention bonus assistance as the  
156 adjutant general considers necessary to meet recruitment and retention needs.

157 (3) The adjutant general of the state shall pay recruitment and retention bonus  
158 assistance directly to the individual.

159 (4) The adjutant general may recoup recruitment and retention bonus assistance funds  
160 from a recipient if a recipient fails to meet the requirements of the program.

161 (5) The adjutant general shall establish regulations, procedures, forms, and reports  
162 necessary to administer the allocation of assistance and payment of funds under this section.

163 (6) The adjutant general may use no more than 10% of the funds for administration of  
164 the program as the adjutant general considers necessary.

165 Section 7. Section 39A-4-101 is amended to read:

166 **39A-4-101. Utah State Defense Force -- How constituted.**

167 (1) Unless exempt under Subsection [(2)] (3), **§→ in accordance with the Utah**  
167a **Constitution, Article XV, Section 1, ←§** ~~all able-bodied [citizens, and all~~  
168 ~~able-bodied individuals of foreign birth who have declared their intention to become citizens;~~  
169 ~~are 18 years old or older and younger than 64 years old, and are residents of this state]~~ male  
170 inhabitants of the state, between the ages of 18 and 45 years old, except such as are exempted  
171 by law, constitute the Utah State Defense Force.

172 (2) Individuals 18 years old or older, who are residents of the state, may volunteer for  
173 consideration by the adjutant general to be members of the Utah State Defense Force.

174 [(2)] (3) Individuals exempt from Subsection (1) include:

175 (a) individuals exempted from military service by laws of the United States;

176 (b) individuals exempted from military service by the laws of this state;

177 (c) all individuals who have been honorably discharged from the armed forces, or  
178 volunteer forces of the United States;

179 (d) active members of any regularly organized fire or police department in any city or  
180 town, but a member of the active defense force may not be relieved from duty because the  
181 individual joined any volunteer fire company or department;

182 (e) judges and clerks of courts of record;