

Tenn. Code Ann. § 58-1-102

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*** CURRENT THROUGH THE 2010 REGULAR SESSION ***

Title 58 Military Affairs, Emergencies and Civil Defense

Chapter 1 Military Forces

Part 1 Military Forces -- In General

Tenn. Code Ann. § 58-1-102 (2011)

58-1-102. Definitions.

In parts 1, 2 and 4-6 of this chapter, unless the context otherwise requires:

(1) "Active duty" and "active service" means military duty in a military force (not including the inactive national guard) or in the military department, under an order of the governor issued pursuant to parts 1, 2 and 4-6 of this chapter and while going to and returning from the same. Such duty may be either in a full-time or part-time status, depending upon the conditions under which it is performed;

(2) "Active military service of the United States" means full-time duty in the army, navy (including marine corps), air force or coast guard of the United States;

(3) "Air national guard" means that part of the national guard which is:

(A) An air force;

(B) Trained, and has its officers appointed under the United States Constitution, article 1, § 8, clause 16, and federal laws enacted pursuant thereto, and under the Constitution of Tennessee and the provisions of parts 1, 2 and 4-6 of this chapter;

(C) Organized, armed and equipped wholly or partly at federal expense; and

(D) Federally recognized;

(4) "Army national guard" means that part of the national guard which is:

(A) A land force;

(B) Trained and has its officers appointed under United States Constitution, article 1, § 8, clause 16, and federal laws enacted pursuant thereto, and under the Constitution of Tennessee and the provisions of parts 1, 2 and 4-6 of this chapter;

- (C) Organized, armed and equipped wholly or partly at federal expense; and
- (D) Federally recognized;
- (5) "Commanding officer" includes only commissioned officers;
- (6) "Enlisted member" means a person in an enlisted grade or status;
- (7) "Federal recognition" means acknowledgment by the federal government that a person appointed to an authorized grade and position vacancy in the national guard meets the prescribed federal standards for such grade and position;
- (8) "Grade" means a step or degree, in a graduated scale of office, or military rank, that is established and designated as a grade by law or regulations;
- (9) "May" is used in a permissive sense. "No person may" means that no person is required, authorized or permitted to do the act described;
- (10) "Military" is used as a descriptive adjective to denote a quality pertaining to any or all of the armed forces;
- (11) "Military department" means the military agency or division of the state, the composition of which is set forth in § 58-1-114;
- (12) "Military service of the state" means service in or with any of the military forces or the military department;
- (13) "National guard" means the army national guard and the air national guard;
- (14) "Officer" or "commissioned officer" means commissioned or warrant officer;
- (15) "Rank" means the order of precedence among members of the armed forces;
- (16) "Shall" is used in an imperative and mandatory sense;
- (17) "Superior officer" means a commissioned officer superior in rank or command; and
- (18) "Voluntary aid or assistance" means actions taken by individual units of the national guard, within guidelines provided by the governor, to provide local communities with assistance during times of crisis not otherwise declared by the governor or president of the United States as a disaster or emergency.

HISTORY: Acts 1970, ch. 596, § 2; 1978, ch. 830, § 1; T.C.A., § 7-102.

[Tenn. Code Ann. § 58-1-102](#)