

14102009D

SENATE BILL NO. 280

Offered January 8, 2014

Prefiled January 6, 2014

A BILL to amend and reenact §§ 2.2-221 and 44-11 of the Code of Virginia, relating to the Adjutant General.

Patron—Cosgrove

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That §§ 2.2-221 and 44-11 of the Code of Virginia are amended and reenacted as follows:****§ 2.2-221. Position established; agencies for which responsible.**

The position of Secretary of Public Safety (the Secretary) is created. The Secretary shall be responsible to the Governor for the following agencies: Department of Alcoholic Beverage Control, Department of Corrections, Department of Juvenile Justice, Department of Criminal Justice Services, Department of Forensic Science, Virginia Parole Board, Department of Emergency Management, Department of Military Affairs, Department of State Police, Department of Fire Programs and the Commonwealth's Attorneys' Services Council. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

§ 44-11. Department of Military Affairs; Adjutant General.

There is hereby created the Department of Military Affairs to which is transferred all of the functions, powers and duties of the former Division of Military Affairs.

The Governor shall appoint an Adjutant General with the rank of brigadier general, major general or lieutenant general as the Governor may prescribe, subject to confirmation by the General Assembly if in session, and if not in session, then at its next succeeding session. The Adjutant General shall not hold the rank of lieutenant general unless such rank is federally recognized. The Adjutant General shall be in direct charge of the Department of Military Affairs and shall be *directly* responsible to the Governor and commander in chief for the proper performance of his duties. All the powers conferred and the duties imposed by law upon the Adjutant General shall be exercised or performed by him under the direction and control of the Governor. The Adjutant General shall serve at the pleasure of the Governor for a term coincident with that of the Governor. No person shall be appointed Adjutant General who shall not have had at least ten years' commissioned service in the Virginia National Guard in at least field grade. The Adjutant General, while serving as such, may be a member of the Virginia National Guard.

The Adjutant General shall receive a salary prescribed by law.

INTRODUCED

SB280