

**Department of Planning and Budget
2018 Fiscal Impact Statement**

1. Bill Number: HB 146

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Cole

3. Committee: Passed both houses

4. Title: National Guard employment protections

5. Summary:

Current law provides the following protections to members of the Virginia National Guard or Virginia Defense Force and to residents of the state who are members of the National Guard of another state, upon being called to active duty:

1. Right to take leave without pay from his/her nongovernmental employment and not be forced to use or exhaust vacation or other accrued leave.
2. Upon being released from active duty, restoration to previous position or a comparable position.

Furthermore, the law prohibits employers from discriminating against a member of the Virginia National Guard or Virginia Defense Force or Virginia resident who is a member of the National Guard of another state, who applies, or has an obligation, to perform active duty on the basis of that membership, performance of service, application for service, or obligation.

The proposed legislation would expand the protections from residents of the Commonwealth who are members of the National Guard of another state to persons who are members of the National Guard of another state.

6. Budget Amendment Necessary: None.

7. Fiscal Impact Estimates: Final. See Item 8.

8. Fiscal Implications:

The legislation will not have a fiscal impact on the Department of Military Affairs.

9. Specific Agency or Political Subdivisions Affected: Department of Military Affairs

10. Technical Amendment Necessary: None.

11. Other Comments: None.