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**SENATE BILL NO. 753**

Senate Amendments in [ ] - February 11, 2020

*A BILL to amend and reenact § 44-83 of the Code of Virginia, relating to the Virginia National Guard; state active duty for emergency response; pay and allowances for members.*

Patrons Prior to Engrossment—Senators Reeves, DeSteph, Bell, Chase, Cosgrove, Kiggans, Mason, Peake and Pillion; Delegates: Austin, Avoli, Batten, Bloxom, Brewer, Byron, Campbell, J.L., Campbell, R.R., Cole, M.L., Collins, Coyner, Davis, Edmunds, Fariss, Fowler, Freitas, Head, Hodges, Kilgore, Knight, Leftwich, McGuire, Miyares, Morefield, Murphy, O'Quinn, Orrock, Robinson, Rush, Simon, Walker, Webert, Wilt, Wright and Wyatt

Referred to Committee on General Laws and Technology

**Be it enacted by the General Assembly of Virginia:****1. That § 44-83 of the Code of Virginia is amended and reenacted as follows:****§ 44-83. Pay and allowance of members.**

~~When~~ *Notwithstanding any other provision of law, when called into state active duty, not in the service of the United States, officers members of the National Guard and members of the Virginia Defense Force shall receive the same pay and allowances as prescribed for members of like rank in the United States Armed Forces. For each day of such service, members of the National Guard shall receive the same pay and allowances as if they were on a day of Annual Training. For each day of service, members of the Virginia Defense Force called to state active duty shall receive the same pay and allowances as persons of like grade in the National Guard for a day of Annual Training, capped at 25 years of service equal to their rank and years of service, as determined by the Department of Military Affairs. The Adjutant General may increase state active duty pay on an annual basis by a rate not to exceed the most recent percentage increase in basic pay for members of the Armed Forces.*

**[ 2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed in 2020 by the General Assembly that becomes law. ]**

ENGROSSED

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