

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 44-54.6 of the Code of Virginia, relating to membership in the Virginia*  
3 *State Defense Force.*

4  
5 Approved

[H 490]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 44-54.6 of the Code of Virginia is amended and reenacted as follows:**

8 § 44-54.6. Members, appointment and enlistment.

9 The age limitations of § 44-1 to the contrary notwithstanding, the Virginia State Defense Force shall  
10 consist of:

11 1. Such volunteers who of their own volition agree to service in conformity with regulations  
12 prescribed by the Adjutant General who are (i) citizens of the Commonwealth, (ii) at least sixteen,  
13 provided that any volunteer under the age of eighteen shall have the written consent of at least one  
14 parent or guardian, and (iii) less than sixty-five years of age, and (iii) not eligible for membership in the  
15 Virginia National Guard or, who, if eligible for enlistment in the Virginia National Guard, are unable to  
16 enlist because the Virginia National Guard has no vacancies. The determination that no vacancy exists  
17 which any such person may fill shall be made by the Adjutant General. However, notwithstanding the  
18 provisions of subdivision (iii), anyone at least twenty-six years of age may join the Virginia State  
19 Defense Force.

20 2. Such persons of the unorganized militia who may be drafted to fill the force structure of the  
21 Virginia State Defense Force or who may be ordered out for active duty until released from such  
22 service.

23 The Adjutant General may, on a case-by-case basis, authorize volunteer members of the Virginia  
24 State Defense Force to be retained beyond age sixty-five to age seventy-five.

25 The officers of the Virginia State Defense Force shall be appointed by the Governor in conformity  
26 with regulations prescribed by the Adjutant General.

27 Enlisted members shall be enlisted and retained in conformity with regulations prescribed by the  
28 Adjutant General.

ENROLLED

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