

2011 SESSION

INTRODUCED

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HOUSE BILL NO. 2345

Offered January 12, 2011

Prefiled January 12, 2011

A BILL to amend and reenact § 44-2 of the Code of Virginia, relating to Virginia National Guard; eligibility for service.

Patron—Morrissey

Referred to Committee on Rules

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

**1. That § 44-2 of the Code of Virginia is amended and reenacted as follows:**

§ 44-2. Composition of National Guard.

A. The National Guard shall consist of the regularly enlisted militia and of commissioned and warrant officers, who shall be residents of the Commonwealth of Virginia and shall fall within the age limits and qualifications as prescribed in existing or subsequently amended National Guard regulations (army and air), organized, armed and equipped as hereinafter provided. Upon original enlistment members of the National Guard shall not be less than seventeen nor more than fifty-five years of age, or, in subsequent enlistments not more than sixty-four years of age. All enlistments in the National Guard of persons under the age of eighteen years made prior to June 27, 1958, shall be held, and the same are hereby declared valid and effective in all respects, if otherwise valid and effective according to the law then in force.

B. Notwithstanding the above, persons otherwise qualified but residing outside the Commonwealth of Virginia, may enlist or serve as commissioned or warrant officers in the National Guard.

C. Members of the National Guard shall be subject to eligibility requirements for service in the National Guard as prescribed by federal law, including but not limited to regulations promulgated by the U.S. Department of Defense.

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