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HOUSE BILL NO. 820

Offered January 11, 2012

Prefiled January 11, 2012

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

Patron—Marshall, R.G.

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 17 nor more than 55 years of age, or, in subsequent enlistments not more than 64 years of age.

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. Notwithstanding the above, no person shall be eligible for service in the National Guard if he has admitted to any competent military authority or any such authority has determined that he has committed any act that would have been punishable under the Uniform Code of Military Justice, and any accompanying Department of Defense regulations implementing and enforcing the Uniform Code of Military Justice, by a prescribed maximum punishment of confinement of five or more years and a forfeiture of all pay and allowances.

INTRODUCED

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