

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 339

An Act to amend and reenact §§ 44-54.10 and 44-115 of the Code of Virginia, relating to Virginia Defense Force; Virginia National Guard; discipline.

[H 1051]

Approved March 11, 2016

Be it enacted by the General Assembly of Virginia:

1. That §§ 44-54.10 and 44-115 of the Code of Virginia are amended and reenacted as follows:

§ 44-54.10. Discipline.

All members of the Virginia Defense Force on training duty or state active duty shall be subject to military discipline. Infractions of military discipline by members of the Virginia Defense Force on *training duty or state active duty* shall be punishable under the provisions of §§ 44-40 and ~~Article 4~~ (§ 44-42 et seq.) of this chapter 44-40.01.

§ 44-115. Custom and usage of United States army, air force and navy; applicability of §§ 44-40, 44-40.01 and Article 4 (§ 44-42 et seq.).

All matters relating to the organization, discipline and government of the Virginia National Guard, not otherwise provided for by law or by regulations, shall be decided by the custom and usage of the United States army, air force or navy, as appropriate. In addition, all members of the Virginia Defense Force and the unorganized militia on *training duty or state active duty* shall be subject to military discipline. Infractions of military discipline *for the Virginia National Guard* shall be punishable under the provisions of §§ 44-40 and 44-40.01 and Article 4 (§ 44-42 et seq.). *Infractions of military discipline for the Virginia Defense Force and unorganized militia shall be punishable under the provisions of §§ 44-40 and 44-40.01.*