

# VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

## CHAPTER 614

*An Act to amend and reenact § 44-54.4 of the Code of Virginia, relating to Virginia Defense Force; training duty.*

[H 1052]

Approved April 1, 2016

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

**1. That § 44-54.4 of the Code of Virginia is amended and reenacted as follows:**

**§ 44-54.4. Organization; definitions.**

The Virginia Defense Force with a targeted membership of at least 1,200 shall be organized within and subject to the control of the Department of Military Affairs.

When called to state active duty, the mission of the Virginia Defense Force shall be to (i) provide for an adequately trained organized reserve militia to assume control of Virginia National Guard facilities and to secure any federal and state property left in place in the event of the mobilization of the Virginia National Guard, (ii) assist in the mobilization of the Virginia National Guard, (iii) support the Virginia National Guard in providing family assistance to military dependents within the Commonwealth in the event of the mobilization of the Virginia National Guard, *and* (iv) provide a military force to respond to the call of the Governor in those circumstances described in § 44-75.1.

Nothing in this article shall be construed as authorizing the Virginia Defense Force or any part thereof to be called, ordered or in any manner drafted by federal authorities into the military service of the United States. However, no person by reason of his enlistment or appointment in the Virginia Defense Force shall be exempted from military service under any law of the United States.

Members of the Virginia Defense Force may serve in either of the following duty statuses:

1. "Training duty," which is the normal service and training performed by the Virginia Defense Force in order to be prepared for state active duty, and which includes but is not limited to organization, administration, recruiting, maintenance of equipment ~~and~~, *armory drills, annual duty training, and training exercises.*

2. "State active duty," which is the performance of actual military service for the Commonwealth when called by the Governor or his designee to active duty in service of the Commonwealth in accordance with Article 7 (§ 44-75.1 et seq.) ~~of this chapter.~~

"Military duty" and "military service," as used in this title, shall include the activities of the members of the Virginia Defense Force while in training duty and state active duty status.