

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 488

An Act to amend and reenact § 44-54.6 of the Code of Virginia, relating to Virginia Defense Force; maximum age for recruitment.

[H 1253]

Approved March 27, 2020

Be it enacted by the General Assembly of Virginia:

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

§ 44-54.6. Members, appointment and enlistment.

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

1. Such volunteers who of their own volition agree to service in conformity with regulations prescribed by the Adjutant General who are (i) residents of the Commonwealth or any contiguous state, (ii) at least 16, provided that any volunteer under the age of 18 shall have the written consent of at least one parent or guardian, and (iii) less than 65 years of age may join the Virginia Defense Force, *except that the Adjutant General may, on a case-by-case basis, authorize volunteer members of the Virginia Defense Force to be accessed or retained beyond the age of 65 to the age of 75.*

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

~~The Adjutant General may, on a case-by-case basis, authorize volunteer members of the Virginia Defense Force to be retained beyond age 65 to age 75.~~

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

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