

# 2026 SESSION

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1 **HOUSE BILL NO. 1114**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 *A BILL to amend and reenact §§ 44-93 and 44-204 of the Code of Virginia, relating to military leaves of*  
5 *absence for employees of the Commonwealth or political subdivisions; law-enforcement officers.*

6 Patron—Nivar

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8 Committee Referral Pending

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

11 **1. That §§ 44-93 and 44-204 of the Code of Virginia are amended and reenacted as follows:**

12 **§ 44-93. Leaves of absence for employees of Commonwealth or political subdivisions.**

13 A. All officers and employees of the Commonwealth or of any political subdivision of the Commonwealth  
14 who are former members of the armed services or members of the organized reserve forces of any of the  
15 armed services of the United States or National Guard shall be entitled to leaves of absence from their  
16 respective duties, without loss of seniority, accrued leave, or efficiency rating, on all days during which they  
17 are engaged in federally funded military duty, to include training duty, or when called forth by the Governor  
18 pursuant to the provisions of § 44-75.1 or 44-78.1.

19 There shall be no loss of regular employer pay during such leaves of absence, except that paid leaves of  
20 absence for federally funded military duty, to include training duty, shall not exceed 21 workdays per federal  
21 fiscal year, unless such officer or employee is a professional firefighter *or a law-enforcement officer as*  
*defined in § 9.1-101*, and except that no officers or employees shall receive paid leave for more than 21  
22 workdays per federally funded tour of active military duty. Any officer or employee of the Commonwealth or  
23 of any political subdivision of the Commonwealth who is a professional firefighter *or a law-enforcement*  
*officer as defined in § 9.1-101* shall receive paid leaves of absence for all work hours for which a leave of  
24 absence is required, regardless of whether such amount of work hours exceeds 21 workdays per federal fiscal  
25 year but shall not exceed a total of 388 work hours, during which such officer or employee who is a  
26 professional firefighter *or a law-enforcement officer as defined in § 9.1-101* is engaged in federally funded  
27 military duty, to include training duty, or is called forth by the Governor pursuant to the provisions of  
28 § 44-75.1 or 44-78.1.

29 When relieved from any such duty, officers and employees described in this section shall be restored to  
30 positions held by them when ordered to duty. If the office or position has been abolished or otherwise has  
31 ceased to exist during such leave of absence, they shall be reinstated in a position of like seniority, status, and  
32 pay, if the position exists, or in a comparable vacant position for which they are qualified, unless to do so  
33 would be unreasonable.

34 For the purposes of this section, with respect to employees of the Commonwealth or its political  
35 subdivisions who do not normally work approximately equal workdays on five or more days of each calendar  
36 week, the term "workday" shall mean 1/260 of the total working hours such employee would be scheduled to  
37 work during an entire federal fiscal year, not taking into account any state holidays, annual leave, military  
38 leave, or other absences. Where such employee returns from federally funded military duty and the eight-hour  
39 rest period required by the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §  
40 4301 et seq.) overlaps such employee's scheduled work shift, the employee shall receive paid military leave  
41 to the extent of such overlap.

42 B. In addition to the provisions of subsection A, any local government may pay such employee when  
43 activated for federally funded military duty all or any portion of the difference between his regular pay and  
44 the military pay received during all or any part of the term of active federally funded duty.

45 **§ 44-204. Leaves of absence for employees of Commonwealth or political subdivisions.**

46 All officers and employees of the Commonwealth, or of any political subdivision of the Commonwealth  
47 who are members of the Virginia Defense Force or National Defense Executive Reserve shall be entitled to  
48 leaves of absence from their respective duties without loss of pay, seniority, accrued leave, or efficiency  
49 rating on all days during which they shall be engaged in training approved by the Governor or his designee,  
50 not to exceed 21 workdays per federal fiscal year unless such officer or employee is a professional firefighter  
51 *or a law-enforcement officer as defined in § 9.1-101*. Any officer or employee of the Commonwealth or of  
52 any political subdivision of the Commonwealth who is a professional firefighter *or a law-enforcement officer*  
53 *as defined in § 9.1-101* and a member of the Virginia Defense Force or National Defense Executive Reserve  
54 shall receive paid leaves of absence for all work hours that a leave of absence is required, regardless of  
55 whether such amount of work hours exceeds 21 workdays per federal fiscal year but shall not exceed a total  
56 of 388 work hours, during which such officer or employee who is a professional firefighter *or a law-*

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59     *enforcement officer as defined in § 9.1-101* shall be engaged in training approved by the Governor or his  
60     designee. When relieved from any such duty, officers and employees described in this section shall be  
61     restored to positions held by them when ordered to duty.