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SENATE BILL NO. 600

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend and reenact § 44-40.01 of the Code of Virginia, relating to nonjudicial disciplinary proceedings in the Virginia National Guard.

Patron—Reeves

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 44-40.01 of the Code of Virginia is amended and reenacted as follows:

§ 44-40.01. Nonjudicial disciplinary proceedings.

Service members of the Virginia National Guard, not in federal service, are subject to nonjudicial punishment pursuant to Part V of the Manual for Courts-Martial, United States. A commander's authority to impose nonjudicial punishment shall not include the authority to impose correctional custody, arrest in quarters, restriction, or extra duties. ~~Reduction in rank shall not be imposed if the service member has more than 10 years of military service and is in the rank of E-5 or above.~~ When nonjudicial punishment is to be imposed by a commanding officer of the rank of major or above, a service member shall not be allowed to demand trial by court-martial in lieu of nonjudicial punishment. Service members shall retain all appeal rights available under the Manual for Courts-Martial, and the appeal shall include a review for abuse of discretion and legal sufficiency of the evidence.

INTRODUCED

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