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1 **SENATE BILL NO. 600**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

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

6 Patron—Reeves

7 Referred to Committee on General Laws and Technology

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 44-40.01 of the Code of Virginia is amended and reenacted as follows:**10 **§ 44-40.01. Nonjudicial disciplinary proceedings.**11 Service members of the Virginia National Guard, not in federal service, are subject to nonjudicial
12 punishment pursuant to Part V of the Manual for Courts-Martial, United States. A commander's authority to
13 impose nonjudicial punishment shall not include the authority to impose correctional custody, arrest in
14 quarters, restriction, or extra duties. ~~Reduction in rank shall not be imposed if the service member has more~~
15 ~~than 10 years of military service and is in the rank of E-5 or above.~~ When nonjudicial punishment is to be
16 imposed by a commanding officer of the rank of major or above, a service member shall not be allowed to
17 demand trial by court-martial in lieu of nonjudicial punishment. Service members shall retain all appeal rights
18 available under the Manual for Courts-Martial, and the appeal shall include a review for abuse of discretion
19 and legal sufficiency of the evidence.

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