

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB286

Patron: Helmer

Bill Title: Virginia National Guard; power of Governor to summon in certain circumstances; mobilization under federal authority; annual report.

Bill Summary: Provides that the Governor, within 48 hours of ordering the deployment of the Virginia National Guard, shall inform, in writing, the General Assembly of such deployment. The bill also provides that the Governor shall summon the General Assembly if he wishes for such a deployment to continue for longer than two weeks, and the General Assembly may pass a joint resolution by simple majority authorizing the continuation of such deployment. The bill also requires the Adjutant General to submit an annual report to the General Assembly detailing federal and state deployments of the Virginia National Guard and other matters relating to retention, readiness, funding, and resources. The bill clarifies that the Virginia National Guard's role in counterdrug operations is limited to that of support, as opposed to direct law enforcement. The bill also prohibits the Governor from calling forth the Virginia National Guard for the purpose of intimidating, threatening, or coercing, or attempting to intimidate, threaten, or coerce, a person in giving his vote or ballot or to deter or prevent such person from voting. The bill provides several measures to be followed in the event of Virginia National Guard mobilization under federal authority either within or outside the Commonwealth, and such measures are enumerated within the bill.

Budget Amendment Necessary: No

Items Impacted: N/A

Explanation: See fiscal analysis

Fiscal Summary: According to the Department of Military Affairs (DMA), there is an indeterminate fiscal impact on the agency's operations as a result of the provisions of this bill. The impact on the Office of the Attorney General (OAG) is indeterminate.

Fiscal Analysis: According to DMA, the provisions of the bill requiring the Adjutant General to submit an annual report to the General Assembly detailing federal and state deployments of the Virginia National Guard and other matters relating to retention, readiness, funding, and resources is expected to increase the workload of existing staff, however there is not enough information available to reliably estimate the fiscal impact of the provisions of this bill.

The provisions of the bill require OAG to assess the legality of any call to active duty for missions both within and outside of the Commonwealth and requires OAG to submit a report detailing such assessment to the Speaker of the House of Delegates, the Senate Committee on Rules, and the Chairs of the House Committee on Public Safety and the Senate Committee on General Laws and Technology. In the event that OAG

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determines such call to active duty is illegal, the provisions of the bill require OAG to bring suit in an effort to challenge, prevent, or cease such active duty operations. It is likely that these provisions will impact the workload of OAG, however there is not sufficient available information to estimate a reliable fiscal impact at this time.

Other: None.