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

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Bill Number: HB286ER **Patron:** Helmer
Bill Title: Virginia National Guard; power of Governor to summon in certain circumstances; mobilization under federal authority; annual report.

Bill Summary: The bill directs the Adjutant General to submit an annual report to the Chairs of the House Committee on Public Safety and the Senate Committee on General Laws and Technology detailing (i) all federal and state deployments of the National Guard since the last day of the period covered by the previous annual report, including the date the deployment began, the end date or anticipated end date of such deployment, circumstances, scope, legal authority, goals, cost to the Commonwealth, and cost to the federal government; (ii) retention and readiness within the National Guard and the impact on readiness of federal deployments; (iii) any shortfall or misuse of federal funding; and (iv) use of National Guard resources by federal authorities. The initial report is to be submitted by September 30, 2026, and the subsequent annual reports will be submitted no later than the first day of each regular session of the General Assembly.

In addition, the bill prevents any armed militia from another state, territory, or district from entering the Commonwealth for the purpose of active military when the Governor objects unless (i) such militia has been called into the federal service for active duty and is acting under the authority of the President of the United States or (ii) such entry is for purposes of coordinating or assisting with training. The Speaker of the House, the Chair of the Senate Committee on Rules, the Chair of the House Committee on Public Safety, or the Chair of the Senate Committee on General Laws and Technology may request that the Attorney General assess the legality of the deployment of the (i) National Guard of another state within the Commonwealth or (ii) Virginia National Guard. The Attorney General will provide such assessment as soon as practicable.

The bill's enactment clause requires the Secretary of Veterans and Defense Affairs to convene a workgroup assess the most appropriate manner and process by which the Governor and members of the General Assembly should respond deployments of the Virginia National Guard within or outside of the Commonwealth, including when the Governor has not approved of, consented to, or concurred in any such deployment. The work group will include two members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates, one member of the Senate to be appointed by the Chair of the Senate Committee on Rules, and three nonlegislative citizen members to be appointed by the Secretary. The work group will evaluate additional requirements related to National Guard mobilization, including (i) whether and to what extent special legislative sessions should be called and what informational notices and reporting to General Assembly leadership should be required upon mobilization of the Virginia National Guard, (ii) the process by which General Assembly leadership may obtain any federal security clearances necessary to review informational notices or reporting, (iii) whether and how other states respond to a mobilization of the National Guard under federal authority, (iv) any annual reporting requirements to the Governor and the General Assembly on federal and state National Guard deployments, and (v) other issues as determined by the

work group. The work group will report its findings and recommendations to the Governor and the Chairs of the Senate Committee on General Laws and Technology, House Committee on Public Safety, Senate Committee on Finance and Appropriations, and House Committee on Appropriations no later than November 1, 2026.

Budget Amendment Necessary: Yes **Items Impacted:** 1
Explanation: See fiscal analysis

Fiscal Summary: According to the House of Delegates and Senate, it is anticipated that the fiscal impact of the proposed work group will be a one-time cost of $1,800 general fund in FY2027. It is anticipated that the Department of Military Affairs (DMA) and the Office of the Secretary of Veterans and Defense Affairs can absorb any costs that may arise from this bill.

General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
General Assembly		$1,800				
TOTAL		**$1,800**				

Fiscal Analysis: According to the House of Delegates, the fiscal impact of the proposed work group is anticipated to be $1,200 as compensation for two members to attend two work group meetings. According to the Senate, the fiscal impact of the proposed work group is anticipated to be $600 as compensation for one member to attend two work group meetings. As such, the total fiscal impact for three members of the General Assembly to attend two work group meetings in FY2027 is $1,800. Travel costs are estimated to be approximately $2,382, which is anticipated to be covered with existing resources under the Office of the Secretary of Veterans and Defense Affairs. Any additional costs that may arise from the bill are anticipated to be absorbable with existing resources for the Office of the Secretary of Veterans and Defense Affairs and the Department of Military Affairs.

According to the Office of the Attorney General (OAG), there is no fiscal impact anticipated from the provisions of the bill that allow the General Assembly to request OAG to assess the legality of the deployment of National Guard units of other states within the Commonwealth and deployments of the Virginia National Guard.

Other: SB337 is the companion to this bill.