

# Virginia National Guard



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## General Assembly Passes Important Legislation in 2008

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Virginia Guard Public Affairs

RICHMOND, Va. — The 2008 Virginia General Assembly session passed a number of pieces of legislation that either impact or benefit members of the Virginia National Guard and the military in general.

“We had a very fruitful General Assembly session,” said Col. Robert H. Simpson, Director of the Joint Staff of the Virginia National Guard. “The Governor and the General Assembly were very supportive of veteran’s issues. In particular, Senator Mark R. Herring was especially helpful in shepherding the bill to protect our deployed single parents. Without exception, the members of both houses once again demonstrated their support of the Virginia National Guard.”

The key legislation that passed both the House of Delegates and the State Senate are:

Senate Bill 188: Creates the Virginia Military Parents Equal Protection Act which limits a court’s ability to permanently modify orders regarding the custody or visitation of a child. The bill provides that a parent’s deployment for military service shall not, by itself, constitute a material change in circumstances warranting a permanent modification of a custody or visitation order. A court may enter a temporary order modifying custody or visitation based on a parent’s deployment.

House Bill 839: and Senate Bill 520: Codifies the State Interoperability Executive Committee, which assists the Commonwealth Interoperability Coordinator. These bills allow the Department of Military Affairs to be a significant player in the development of interoperability processes and procedures for the Commonwealth of Virginia.

House Bill 2: Provides for special license plates for immediate family members of persons who have died in military service to their country; fees. Eliminates the one-time \$10 surcharge imposed for issuance of these plates.

House Bill 521: Requires, if it is shown that the owner of a vehicle is an active duty member of the military, the Department of Motor Vehicles to include that information when lien holders inquire into vehicle ownership for the purposes of satisfying a lien. Also, the bill requires persons having a lien to comply with the federal Service members Civil Relief Act.

House Bill 523: Provides that any vehicle safety inspection approval sticker issued for any vehicle that is principally garaged outside the Commonwealth while its registered owner is a person in the armed services of the United States will be deemed not to have expired during the period of the owner’s official absence from the Commonwealth in the armed services of the United States, regardless of whether such vehicle is operated in or through the Commonwealth during the owner’s official absence from the Commonwealth in the armed services of the United States.



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House Bill 524: Clarifies existing rules for eligibility for in-state tuition. Provides that in determining the domiciliary intent of retired military personnel residing in the Commonwealth at the time of their retirement, or the domiciliary intent of their dependent spouse or children who claim domicile through them, who voluntarily elect to establish Virginia as their permanent residence for domiciliary purposes, the requirement to prove domiciliary intent in Virginia for one year is waived.

The bill allows the Virginia Adjutant General to establish regulations that extend eligibility of a Virginia National Guard service member that has deployed so that they can utilize tuition assistance benefits even though they have less than two years remaining on their contract with the Virginia National Guard.

House Bill 525: Exempts from the additional registration fees vehicles being registered in a jurisdiction subject to either the Northern Virginia Transportation or the Hampton Roads Transportation Authority by a member of the armed forces of the United States if the vehicle had previously been registered in a foreign country while the member of the armed forces of the United States was deployed overseas.

House Bill 469: Allows the Department of Motor Vehicles to waive the fee that would have otherwise been imposed by the DMV for issuance of a duplicate driver's license if the person subject to the fee is on active duty with the armed forces of the United States outside the boundaries of the United States.

The General Assembly also passed five resolutions:

House Joint Resolution 249: Celebrating the life of Sergeant David Eugene Lambert

House Joint Resolution 360: Commending the Virginia National Guard

House Joint Resolution 373: Celebrating the life of Sergeant Derek Ramond Banks

House Joint Resolution 470: Commending Command Sgt. Maj. Robert W. Huffman

Senate Joint Resolution 143: Commending the Virginia National Guard

