

**Chapter 38.16 RCW
ENLISTMENTS AND RESERVES**

Sections

- 38.16.010 Period of enlistment in national guard.
- 38.16.015 Period of enlistment in state guard.
- 38.16.020 Discharge of enlisted persons.
- 38.16.030 Inactive national guard.
- 38.16.040 State guard reserve.
- 38.16.050 Appointment of members of the committee for employer support of the guard and reserve to civil affairs unit.

RCW 38.16.010 Period of enlistment in national guard. The period of enlistment in the Washington national guard shall conform to the laws and regulations of the United States department of defense governing such enlistments including the term of such enlistments and the maximum and minimum age of enlistment. [1989 c 19 s 29; 1943 c 130 s 35; Rem. Supp. 1943 s 8603-35. Prior: 1917 c 107 s 30; 1909 c 134 s 41; 1895 c 108 s 57.]

RCW 38.16.015 Period of enlistment in state guard. (1) The period of enlistment in the Washington state guard shall be set by regulation by the adjutant general or the adjutant general's designee.

(2) Notwithstanding subsection (1) of this section and RCW 38.12.180(2), the adjutant general, or the adjutant general's designee, may extend the service age upon request by an active member of the Washington state guard if the adjutant general, or the adjutant general's designee, determines the member's extension would be in the best interest of the Washington state guard. Extensions under this subsection have a two-year duration and may be renewed beyond the age of sixty-four, subject to the discretion of the adjutant general or the adjutant general's designee, if:

(a) The member is physically and mentally capable to complete all assigned mission tasks; and

(b) The Washington state guard officer review board recommends the extension. [2022 c 258 s 1; 2012 c 12 s 1; 1989 c 19 s 30.]

RCW 38.16.020 Discharge of enlisted persons. An enlisted person discharged from service in the organized militia of Washington shall receive a notice of discharge in writing in such form and classification as is or shall be prescribed by law or regulations, and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as may be prescribed by competent authority. [1989 c 19 s 31; 1943 c 130 s 36; Rem. Supp. 1943 s 8603-36. Prior: 1917 c 107 s 31; 1909 c 134 s 45, part; 1895 c 108 s 67, part.]

RCW 38.16.030 Inactive national guard. The inactive national guard of this state shall respectively be organized by the governor in regulations in conformance with the laws, rules and regulations of the United States. It shall consist of such organizations, officers and enlisted persons as the governor shall prescribe. No commissioned

officer shall be transferred or furloughed to the inactive national guard without the officer's written consent, except as otherwise expressly provided by law. Any officer of the inactive national guard may be restored to the active list by order of the governor, subject to the same examination as in the case of an original appointment to his or her rank, and in such event his or her service in the inactive national guard shall not be counted in computing total length of service for relative seniority. [2009 c 549 s 1012; 1991 c 43 s 3; 1989 c 19 s 32; 1943 c 130 s 34; Rem. Supp. 1943 s 8603-34. Prior: 1917 c 107 s 29.]

RCW 38.16.040 State guard reserve. In order to afford the utmost protection to the state of Washington and to the lives and property of citizens thereof, in times of emergency or anticipation thereof, the governor, through the state military department may provide for the organization and training of state guard reserve companies in communities not allocated a federally recognized or authorized state guard unit. [1943 c 130 s 86; Rem. Supp. 1943 s 8603-86.]

RCW 38.16.050 Appointment of members of the committee for employer support of the guard and reserve to civil affairs unit. To assist the state of Washington in the event of mobilization of state and federal military forces in the state, and notwithstanding other provisions of the state military law and other regulations governing appointment and promotion of officers and enlisted personnel of the Washington state guard, members of the Washington committee for employer support of the guard and reserve may be appointed to serve in a civil affairs unit of the Washington state guard. The rank shall be determined by the adjutant general. [1988 c 288 s 17.]