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H.B. 771
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. E. White and Somani

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SUMMARY

- Establishes a deadline of seven days for the Governor to respond to a request by the President or Secretary of Defense to deploy the Ohio National Guard for certain operations.
- Prohibits the National Guard of another state that has not been federalized from operating in Ohio, absent the prior authorization of the Governor.

DETAILED ANALYSIS

Deadline for Governor to respond to federal request for the Ohio National Guard

The bill requires the Governor, after receipt of a request made by the U.S. President or by the U.S. Secretary of Defense to deploy the Ohio National Guard for support of certain operations or missions undertaken by the member's unit at the request of the President or the Secretary of Defense,[1] to respond within seven calendar days. The Governor may accept or refuse the request and notify the public of the Governor's acceptance or refusal by publication on the Governor's official state website, each official state social media account operated by the Governor, and at least two newspapers of general circulation or the websites of two such newspapers.[2]

The general U.S. military policy, as prescribed in federal law, is that the National Guard may be ordered to active duty whenever Congress determines that they are needed for national security, and they may be retained as long as needed.[3]

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[1] 32 United States Code (U.S.C.) 502(f)(2)(A).

[2] R.C. 5919.29(A)(2).

[3] 10 U.S.C. 10103 and 32 U.S.C. 102.

National Guard of another state

The bill prohibits the National Guard of another state, which has not been federalized,[4] from operating in Ohio without the prior written authorization of the Governor. The bill authorizes the Governor, acting as commander in chief, to establish conditions under which the National Guard of another state, which has not been federalized, may be permitted to operate within Ohio.[5]

HISTORY

Action	Date
Introduced	03-18-26

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[4] Title 10 United States Code.

[5] R.C. 5925.01.