
THE 2006 TABLE OF SELECTED STATE MILITIA LAWS

EMPHASIZING STATE POWERS OF “CALL OUT” & “HOT PURSUIT” STATUTES

American Common Defence Review

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Alabama	Alabama Unorganized Militia Ala. Code § 31-2-5:	Alabama Army National Guard Alabama Air National Guard Ala. Code § 31-2-3	Alabama State Guard Ala. Code § 31-2-3 Ala. Code § 31-2-8	Alabama Naval Militia Ala. Code § 31-2-4
	<p>CALL OUT Ala. Code § 31-2-48: Manner of Ordering out Unorganized Militia; Organization; Appointment of Officers. The Governor shall, when ordering out the unorganized militia, designate the number. He may order them out either by call for volunteers or draft. The unorganized militia may be attached to the several organizations of the National Guard or Naval Militia, or organized into separate divisions, brigades, regiments, battalions, companies or detachments as the Governor may deem best for service. He shall appoint the commissioned officers and warrant officers in the same manner as provided in this chapter for the appointment of officers and warrant officers of the National Guard and Naval Militia.</p> <p>Ala. Code § 31-2-49: Draft of Unorganized Militia. If the unorganized militia is ordered out by draft, the Governor shall designate the persons in each county or city who are to make the draft and prescribe rules and regulations for conducting the same, which shall conform as nearly as possible to the selective service machinery that is now or may hereafter be provided for by the government of the United States in a national crisis.</p> <p>Ala. Code § 31-2-3 Divisions of State Militia; Composition of Organized Militia and National Guard. The militia of the state shall be divided into the organized militia, the retired list and the unorganized militia, which together shall constitute the state military forces. The organized militia shall be composed of: an Army National Guard and an Air National Guard which forces, together with an inactive national guard, shall comprise the Alabama National Guard; the Alabama Naval Militia; and the Alabama State Guard, whenever any such force is organized by the Governor pursuant to existing laws. The National Guard, army or air, shall consist of such organizations and units as the commander in chief may from time to time authorize to be formed, all to be organized in accordance with the laws of the United States affecting the National Guard, army and air, and the regulations issued by the appropriate Secretary of the Department of Defense.</p> <p>CALL OUT OF STATE DEFENSE FORCE Ala. Code § 31-2-8 Organization, Etc., of State Defense Force upon Call, Etc., into Federal Service of National Guard. In the event of all or part of the National Guard of Alabama <u>being called</u>, drafted or ordered into the service of the United States, the Governor is hereby authorized to organize, equip, train and maintain, only during periods when the National Guard of Alabama is in the federal service or when the Governor declares by executive order, at such strength and in such organizations and branches of the service as he may deem advisable, a temporary military force designated as the Alabama State Defense Force, similar to the National Guard and organized for the same state purposes, and if authorized by federal laws, it shall be organized, maintained and trained under the provisions of the National Defense Act for the organization, maintenance and training of the National Guard; provided that comparable organizations shall be disbanded and discharged from the service of the state on the release or discharge of the National Guard of Alabama, or units thereof, from the federal service and return to its National Guard status.</p>			<p>Ala. Code § 31-2-9 Powers, etc., of Governor and Adjutant General with respect to State Defense Force; State defense Force to be free from federal control. In the event the provisions of Section 31-2-8 become operative, then the Governor and the Adjutant General shall have all the power, authority, duties and rights in relation to the Alabama State Defense Force as they have in relation to the National Guard of Alabama not in federal service, and all sections of this chapter so applying shall likewise apply to the State Defense Force; except, that the State Defense Force shall be free from any federal control, and those provisions of this chapter relating to such federal control or regulations shall not apply to the organization, maintenance or training of the State Defense Force when called to duty as the Alabama State Defense Force.</p> <p>Ala. Code § 31-2-129 Counties or Municipalities May Appropriate Funds for Military Purposes for Local National Guard and Naval Militia Units. The county commission in each county and the city council, city commissioners or other governing body of a municipality are hereby authorized and empowered, at their discretion, to appropriate such sums of money as they may deem wise and advisable, not otherwise appropriated, to pay the necessary organization and maintenance expenses, and appropriate moneys for the purpose of furnishing, by rental or purchase, armories, office furniture and equipment, and lockers, training areas, target ranges, sheds for military vehicles, hangars for airplanes, motor vehicles and military equipment of every character, including flying fields and similar utilities, for the military purposes of each unit of the National Guard and Naval Militia located in their respective counties and municipalities, to be accounted for to the Governor by the organization receiving such appropriation as provided in this chapter for other military funds.</p>

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Alaska	Alaska Unorganized Militia Alaska Statute § 26.05.010(b)(2);	Alaska National Guard Alaska Statute § 26.05.010(a) 26.05.010(b)(1)	Alaska State Defense Force Alaska Statute § 26.05.010(b)(1); .100; .030(d)	Alaska Naval Militia Alaska Statute § 26.05.010(b)(1); .030©);
	CALL OUT Alaska Statute § 26.05.110 "In the event of imminent invasion by a foreign power and for the same reasons set forth in AS 26.05.070, if the governor has ordered into active service all of the available organized militia or if the organized militia is in active federal service, the governor may order the unorganized militia or any portion of it considered necessary into active service, and have them perform military duty for the state subject to this chapter, as the circumstances require."		CALL OUT Alaska Statute § 26.05.070 "In the event of war, disaster, insurrection, rebellion, tumult, catastrophe, invasion, or riot; or if a mob or body of men act together by force with intent to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws of the state, or the United States; or in the case of imminent danger of the occurrence of any of these events; or whenever responsible civil authorities fail to preserve law and order, or protect life and property, or the governor believes that failure is imminent, the governor may order the organized militia or any part of it, into active state service to execute the laws and to perform duties in connection with them that the governor considers proper. Whenever any portion of the militia is ordered into active service by the governor, it becomes an additional police force, retaining its separate entity and operating at all times as a military organization under military command, with power to cooperate with but not to supersede the existing civilian law enforcement officers whenever possible, for the re-establishment of law and order and for the protection of life and property. The governor may also order members of the organized militia to active state service, with their consent, for the purpose of training or for full-time duty with the office of the adjutant general."	
Arizona	Arizona Unorganized Militia	Arizona National Guard Ariz.Rev.Stat § 26-122(A)	Arizona State Guard Ariz.Rev.Stat. § 26-122(A) (Effective Jan. 1, 2005)	None
	Ariz.Rev.Stat. § 26-122(A). The militia is divided into the national guard of Arizona, the state guard when organized, and the unorganized militia. E. The unorganized militia consists of members of the militia not members of the national guard or state guard when organized.		B. If the governor deems an emergency of a nature that all or a large portion of the unorganized militia should be called into service of the state, he shall by proclamation order all members of the unorganized militia to enroll with the county recorder of the county in which they reside. The enrollment shall be in triplicate stating the full name, residence, age, occupation and previous service of each person enrolled. The rolls shall be verified by the enrolling officer who shall retain one copy and file one copy with the adjutant general and one with the clerk of the superior court of the county in which the person is enrolled. The persons called into service shall be determined by lot in accordance with a plan devised by the governor and implemented by him. The plan shall be patterned upon the latest selective service act of the United States and executive orders of the president issued to implement the law.	
CALL OUT Ariz. Rev. Stat. 26-124: Service by members of unorganized militia; volunteers during emergency; enrollment; selection; organizing selectees A. When the governor proclaims an emergency, and, upon advice of the adjutant general, determines that the national guard does not have sufficient troops to meet the emergency, the governor may authorize the adjutant general to accept for service from the unorganized militia a specified number of volunteers.		C. Upon mobilization for state purposes members of the unorganized militia shall be organized under the command of the officer the governor designates into units comparable to units of the national guard.		

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Arkansas	Arkansas Unorganized Militia	Arkansas Army National Guard Arkansas Air National Guard Ark. Code § 12-61-101(a)	Arkansas State Defense Force Ark.Code 12-61-302	None
	<p>Ark. Code § 12-61-101(a) The militia shall be divided into two (2) parts: the organized, consisting of the active and inactive Army National Guard and Air National Guard; and the unorganized, consisting of all those persons of the militia not in the active or inactive Army National Guard or Air National Guard.</p> <p>(b) The militia shall consist of all able-bodied male residents of the state between the ages of seventeen (17) and forty-five (45) years who are, or intend to become, citizens of the United States, unless exempt by law, together with all other acceptable volunteers, waiving necessary requirements.</p> <p>CALL OUT Ark. Code § 12-61-111. Ordering Militia into Service.</p> <p>(a)(1) The Governor shall have power in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, or to preserve the public health and security and maintain law and order, to order into the active service of the state for such a period, to such extent, and in such manner as he may deem necessary, all or any part of the organized militia.</p> <p>(2) Such power shall include the power to order the organized militia or any part thereof to function under the operational control of the United States Army, Navy, or Air Force commander in charge of the defense of any area within the state.</p> <p>(b)(1) Upon the request of either the judge or sheriff of a county or the mayor of a city, whenever it is made to appear to the Governor that there is a breach of the peace, riot, resistance to process of this state, or disaster or imminent danger thereof, the Governor may order into the active service of the state, for such period, to such extent, and in such manner as he may deem necessary, all or any part of the organized militia.</p> <p>(2) The compensation of all officers and enlisted personnel while on duty or assembled pursuant to this subsection and all expenses incurred in connection with such duty or as a result thereof shall be paid in the manner prescribed by law.</p>			
California	California Unorganized Militia Cal. Military & Veterans Code § 120.	California National Guard Cal. Military & Veterans Code §120	California State Military Reserve Cal.Code Military & Veterans Code §550-567	California Naval Militia Cal.Code Military & Veterans Code §120; § 280-301
	<p>CALL OUT Cal. Military & Veterans Code § 128. The Unorganized Militia may be called for active duty in case of war, rebellion, insurrection, invasion, tumult, riot, breach of the peace, public calamity or catastrophe, or other emergency, or imminent danger thereof, or may be called forth for service under the Constitution and laws of the United States. Whenever it is necessary to call out any portion of the unorganized militia, the Governor may call for and accept as many volunteers as are required for such service, under regulations provided by this division.</p>			

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Connecticut	Connecticut Unorganized Militia CT. Gen. Stat. § 27-2; -13	Connecticut Army National Guard Connecticut Air National Guard CT. Gen. Stat. § 27-24 CT. Gen. Stat. § 27-6a Governor's Foot Guards CT. Gen. Stat. § 27-7 Governor's Horse Guards	Connecticut State Guard CT. Gen. Stat. § 27-9.	Connecticut Naval Militia CT. Gen. Stat. § 27-2; -5;
	Private Military Forces CT. Gen. Stat. § 27-101 Definition. “Private Military Force”, as used in this chapter, includes any group of five or more persons organized or associated together in a camp, group, organization, company, association or society, or in any other manner, for the purpose of drilling or maneuvering with firearms or other dangerous weapons, or with imitations, copies or replicas thereof, or for the purpose of giving or acquiring military training or experience; but said term “private military force” shall not include any military or police units of the United States or of any state or territory, or of any political subdivision of any state or territory, or a cadet or reserve corps of any institution of learning whose military training is under governmental supervision, or any society of war veterans in the course of their authorized activities, or any society or fraternal organization which features a uniform or costume with side-arms or replicas thereof for display purposes only, or The Boy Scouts of America, The Catholic Boys Brigade of the United States, Inc., or troops of a foreign government whose admission to the United States has been consented to by the federal or state government, or any person acting or appearing in any theater, motion picture or television production while actually engaged in representing therein military or naval characters or scenes.		CALL OUT CT. Gen. Stat. § 27-16. Authority of Governor. Service outside state. In time of war, invasion, rebellion, riot or disaster, or reasonable apprehension thereof, or upon requisition by the President of the United States, the Governor shall order out for active service such portion of the militia as he deems necessary. Whenever it is necessary in case of invasion, disaster, insurrection, riot or breach of the peace, or imminent danger thereof, the Governor may direct the members of the unorganized militia or such of them as may be necessary to be drafted, under such regulations as he may prescribe, into the active service of the state, to serve as directed by him. The Governor may order the organized militia or any part thereof to serve outside the borders of this state in order to perform military duty of every description and to participate in parades, reviews, cruises, conferences, encampments, maneuvers or other training and to participate in small arms and other military competitions and to attend service schools.	
Delaware	Nothing found for unorganized militias.	Delaware National Guard 20 Del. Code § 101,	Delaware State Defense Force 20 Del. Code § 301-308	None.
	CALL OUT 20 Del. Code § 171. Governor as Commander in Chief; Call out of National Guard for State Duty. (a) When the Governor has determined that it is in the best interest of the state, the Governor by order may: (1) Call out any unit or units, member or members of the Delaware National Guard to serve in a state duty status to respond to any emergency situation. (2) Call out any member or members of the Delaware National Guard to serve on state duty status to plan for any emergency. (3) Call out any unit or units, member or members of the Delaware National Guard to serve on state duty to fulfill obligations under any interstate emergency agreements or compacts; and such troops may be employed within or outside of Delaware as required by the agreement or compact. (4) Call out units or members of the Delaware National Guard for training or review as deemed appropriate subject to funding availability. (b) The Governor shall serve as commander-in-chief of the Delaware National Guard when it is not in federal service.		CALL OUT 20 Del. Code § 301. Establishment and composition. (a) The Governor may organize such military forces within this State in addition to the Delaware National Guard as the Governor deems necessary for the defense of this State. Such forces shall be distinct from the Delaware National Guard and shall be known as the Delaware State Defense Forces. Such military forces shall be uniformed and comprised of officers and enlisted personnel who shall be citizens of this State who shall volunteer for such service. (b) The Delaware State Defense Forces shall not be called into active state service unless the Delaware National Guard or a part thereof has been called into active federal service. (c) The Governor may organize a command staff for the Delaware State Defense Forces which staff shall develop plans for mobilization of said force. (d) The command staff of the Delaware State Defense Forces may maintain lists of volunteers for service in such forces and develop an organizational structure for such forces when called to active service. (e) Nothing contained herein shall prohibit the Delaware State Defense Forces from meeting on a voluntary basis at no cost to the State when not in active service.	
District of Columbia	No Unorganized Militia	National Guard of the District of Columbia	No State Defense Force.	None.
	DC Code § 49-406. Organized Militia; Volunteer Service; Designation. The organized militia shall be composed of volunteers, and shall be designated the National Guard of the District of Columbia.		DC Code § 49-409. President to be Commander-in-Chief. The President of the United States shall be the Commander-in-Chief of the militia of the District of Columbia.	

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Florida	Florida Unorganized Militia Fla. Stat. § 250.02(3).	Florida Army National Guard Florida Air National Guard Fla. Stat. 250.01-.07	Florida State Defense Force Fla. Stat. 251.01-.17	Florida Naval Militia Florida Marine Corps. Fla. Stat. § 250.04.
	<p>MILITIA Fla. Stat. § 250.02 Militia.-- (1) The militia consists of all able-bodied citizens of this state and all other able-bodied persons who have declared their intention to become citizens. (2) The organized militia is composed of the National Guard and any other organized military forces that are authorized by law. (3) The unorganized militia is composed of all persons who are subject to military duty but who are not members of units of the organized militia. (4) Only persons exempt from military duty by the terms of federal law are exempt from military duty in this state.</p> <p>FLORIDA NAVAL MILITIA & FLORIDA MARINE CORPS Fla. Stat. § 250.04 Naval militia; marine corps.-- The Governor may organize a naval militia and a marine corps in accordance with federal law governing the Naval Militia or Marine Corps of the United States and regulations issued by the Secretary of the Navy for the governing of the United States Navy, Naval Militia, and Marine Corps.</p> <p>FLORIDA NATIONAL GUARD Fla. Stat. § 250.07 Florida National Guard; composition; departmental organization.-- (1) The Florida National Guard shall consist of enlisted personnel, commissioned officers, and warrant officers who are citizens of the United States, or who have declared their intention to become citizens of the United States, organized, armed, equipped, and federally recognized, in accordance with the laws of the state and the laws and regulations of the Department of the Army and the Department of the Air Force. The Florida National Guard shall include separate components for the Army and Air Force. (2) All general officers of the Florida National Guard must be federally recognized and appointed by the Governor, subject to confirmation by the Senate.</p> <p>STATE DEFENSE FORCE NOT FOR FEDERAL SERVICE Fla. Stat. § 251.08 Federal service.-- Nothing in this chapter shall be construed as authorizing such Florida State Defense Force, or any part thereof, to be called, ordered, or in any manner drafted, as such, into the military service of the United States; but, no person shall, by reason of her or his enlistment or commission in any such Florida State Defense Force, be exempted from military service under any law of the United States.</p>		<p>CALL OUT - STATE DEFENSE FORCE Fla. Stat. § 251.05 Calling out of Defense Force.-- The Florida State Defense Force may be called out to aid the civil authorities as now provided by the law for calling out the National Guard; except whenever the Adjutant General would be authorized to call out the Florida State Defense Force, but is unable to do so for any reason, the Adjutant General's assistant shall have such authority.</p> <p>HOT PURSUIT - OUTBOUND Fla. Stat. § 251.06 Use Outside this State.-- Such Florida State Defense Force shall not be required to serve outside the boundaries of this state, except that any organization, unit, or detachment of such Florida State Defense Force, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit, or detachment, or until the military or police forces of the other state, or the forces of the United States, have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; provided, such other state shall have given authority by law for such pursuit by such Florida State Defense Force. Any such person, who shall be apprehended or captured in such other state by an organization, unit, or detachment of the Florida State Defense Force, shall, without unnecessary delay, be surrendered to the military or police forces of the state in which she or he is taken or to the United States; but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p> <p>HOT PURSUIT - INBOUND Fla. Stat. § 251.07 Permission to Forces of Other States in Fresh Pursuit.-- Any military forces or organization, unit or detachment thereof, of another state, who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, may continue such pursuit into this state until the military or police forces of this state or the forces of the United States, have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; and they are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person, who shall be captured or arrested by the military forces of such other state while in this state, shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.</p>	

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Georgia	Georgia Unorganized Militia Ga. Code § 38-2-3(a), (d).	Georgia Army National Guard Georgia Air National Guard GA Code § 38-2-3(b)	Georgia State Defense Force Ga. Code. § 38-2-3(b)(3) Ga. Code. § 38-2-23 Ga. Code. § 38-2-(50-55)	Georgia Naval Militia 38 Ga. Code § 2-3(b)(2) 38 Ga. Code § 2-22
	CALL OUT GA Code § 38-2-5. When the militia of the state is called into federal service under the Constitution and laws of the United States, the Governor shall order out for service the organized militia or such part thereof as may be necessary; and, if the number available is insufficient, the Governor may call for and accept from the unorganized militia as many volunteers as are required for service in the organized militia. During the absence of the organized militia in the service of the United States, their state designations shall not be given to new organizations. GA Code § 38-2-72. (a) Whenever it is necessary in case of invasion, disaster, insurrection, riot, breach of the peace, or combination to oppose the enforcement of the law by force or violence, or imminent danger thereof, or whenever it is necessary to maintain the organized militia or any force thereof at the number required for public safety or prescribed by the laws of the United States, the Governor may call for and accept from the unorganized militia as many volunteers as are required for service in the organized militia or he may direct the members of the unorganized militia or such of them as may be necessary to be drafted into the organized militia or any force thereof. (b) Whenever it is necessary in time of war or in case of invasion, disaster, or other like emergency, or imminent danger thereof, the Governor may direct the members of the unorganized militia or such of them as may be necessary to be drafted under such regulations as he may prescribe into the active service of the state and to serve as directed by him. (c) Whenever members of the unorganized militia are drafted into the active service of the state, they shall serve for such period as the Governor may direct, not to exceed the duration of the emergency for which they may be drafted. The compensation of all members of the unorganized militia, while on duty or assembled pursuant to this Code section, shall be paid in the manner prescribed by Code Section 38-2-250.		CALL OUT GA Code § 38-2-6. (a) The Governor shall have power, in case of invasion, disaster, insurrection, riot, breach of the peace, combination to oppose the enforcement of the law by force or violence, or imminent danger thereof, or other grave emergency, to order all or any part of the organized militia into the active service of the state for such period, to such extent, and in such manner as he may deem necessary. Such power shall include the power to order the organized militia or any part thereof to function under the operational control of the United States army, navy, or air force commander in charge of the defense of any area within the state which is invaded or attacked or is or may be threatened with invasion or attack. (b) Whenever any judge of a superior, city, or state court, sheriff, or mayor of a municipality shall apprehend the outbreak of insurrection, riot, breach of the peace, or combination to oppose the enforcement of the law by force or violence within the jurisdiction of which such officer is by law the conservator of the peace, or in the event of disaster or other grave emergency, it shall be the duty of the judge, sheriff, or mayor, when it appears that the unlawful combination or disaster has progressed beyond the control of the civil authorities, to notify the Governor, and the Governor may then, in his discretion, if he deems the apprehension well founded or the disaster or emergency of sufficient magnitude, order into the active service of the state for such period, to such extent, and in such manner as he may deem necessary all or any part of the organized militia. (c) When the Governor orders into the active service of the state all or any portion of the organized militia as provided in this Code section, he shall declare a state of emergency in such locality and it shall be the duty of the Governor to confirm such declaration and order in writing which shall state the area into which the force of the organized militia has been ordered.	
Hawaii	Hawaii Unorganized Militia 10 HI. Rev. Stat. 121-1(4)	Hawaii Army National Guard Hawaii Air National Guard 10 HI. Rev. Stat. 122A-2	Hawaii State Defense Force 10 HI. Rev. Stat. 122A-2	Hawai Naval Militia 10 HI. Rev. Stat. 121-1(3) 10 HI. Rev. Stat. 123-1
	CALL OUT §121-3 Government Employees. In case of a state of war, insurrection, rebellion, or of resistance to the execution of the laws of the United States, or of the State, proclaimed by the President or by the governor as appropriate, all employees of the State and political subdivisions thereof who are not physically disabled and who are not members of the national guard, naval militia, or state defense force shall, upon the order of the governor, report for duty with organizations designated by the governor. [L 1967, c 196, pt of §1; HRS §121-3; am L 1980, c 6, §1; am L 1988, c 135, §1]			
Idaho	Idaho Unorganized Militia Id.Stat. § 46-103	Idaho Army National Guard Idaho Air National Guard 46 Id.Stat. § 46-101	Idaho Organized Militia 46 Id.Stat. § 46-103	None.
	CALL OUT Id Stat § 46-106. Organized Militia -- Organization When Called into Active Service. Whenever the governor as commander-in-chief, shall call into the active service of the state the unorganized militia or any part thereof, it shall be organized into such units and shall be armed and equipped in such manner as the governor in his discretion shall deem proper. The officers thereof, shall be appointed and commissioned by the governor under such rules and regulations as he may deem expedient to promulgate.			

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Illinois	Illinois Unorganized Militia 20 IL. Compiled Stat. 1805/2	Illinois Army National Guard Illinois Air National Guard 20 IL. Compiled Stat. 1805/5	Illinois State Guard 20 IL. Compiled Stat. 1805/3 20 IL. Compiled Stat. 1815/2	None.
	<p>CALL OUT 20 IL Compiled Stat 1805/3 Whenever all or a portion of the Illinois National Guard is called or ordered into the active military service of the United States by the President of the United States or the Congress of the United States it shall be the duty of the Governor as Commander-in-Chief to furnish such troops, and the Governor as Commander-in-Chief may, by his proclamation, organize the Illinois State Guard under the provisions of the Illinois State Guard Law.</p> <p>CALL OUT 20 Ill.Compiled Stat. 1805/8. In time of peace the strength of the Organized Militia shall not be less than 6,000 and not more than 45,000 officers, warrant officers and enlisted personnel. The Governor as Commander-in-Chief shall have power in case of war, insurrection, invasion or imminent danger thereof, to increase the forces beyond the 45,000 and organize them as the exigencies of the service may require</p>		<p>CALL OUT 20 IL Compiled Stat. 1815/37 Whenever there is in any city, village, town or county a tumult, riot, mob or body of men acting together by force with attempt to commit a felony, or to offer violence to persons or property, or by force or violence to break or resist the laws of the state or when such tumult, riot or mob is threatened it shall be deemed that a time of public disorder and danger then exists, and the Governor may order such unit or units of the Illinois State Guard as he may deem necessary to aid the civil authorities in suppressing such violence and executing the law.</p> <p>CALL OUT - ILLINOIS STATE GUARD 20 IL Compiled Stat. 1815/38 Whenever any unit of the Illinois State Guard shall be ordered out by the Governor in accordance with Section 37, the commanding officer thereof may arrest any person in view without process and hold him in custody until, by order of the Governor, such person shall be discharged from custody or delivered over to the civil authorities. The commanding officer may also use such force as he deems necessary to suppress riots, disperse mobs, restore peace and execute the law.</p>	

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Indiana	<p>Indiana Sedentary Militia 10 Indiana Code § 16-6-2</p>	<p>Indiana Army National Guard Indiana Air National Guard 10 Indiana Code § 16-6-2(2) 10 Indiana Code § 16-6-3(a)(1)</p>	<p>Indiana Guard Reserve</p>	<p>Indiana Naval Battalion Indiana Naval Force Indiana Marine Corps Battalion 10 Indiana Code § 16-14-1 10 Indiana Code § 16-15-1</p>
<p>CALL OUT BY GOVERNOR 10 Indiana Code § 16-7-7 Governor; Ordering on State Duty; Immunity from Civil Prosecution; Order or Requisition by President of the United States (a) The governor shall order on state duty all or part of the national guard in the following cases: (1) War. (2) Invasion. (3) Insurrection. (4) Public disaster. (5) Breach of the peace or imminent danger of breach of the peace. (6) Forcible obstruction of the execution of the laws, or reasonable belief that the execution of the laws will be obstructed. (7) At any other time the governor considers necessary.</p> <p>CALL OUT BY SHERIFF 10 Indiana Code § 16-7-9 <u>Sheriffs; Requesting National Guard Be Called to Active Duty</u> (a) If: (1) insurrection, rebellion, invasion, tumult, riot, resistance to law or process, breach of the peace, or public disaster, occurs in the vicinity of a station of the Indiana national guard; (2) the exigencies of a situation make it impossible for the senior commanding officer of the Indiana national guard station to communicate with the governor or the adjutant general; and (3) the sheriff of the county involved or an officer acting on behalf of the sheriff provides the senior commanding officer of the Indiana national guard station with a written request signed by the sheriff of the county involved or officer stating the facts and the nature of the service desired; the senior commanding officer may order out the Indiana national guard units at that station and cause them to perform whatever duty is required by the circumstances. (b) A commanding officer who has called out Indiana national guard units as described in subsection (a) shall immediately report what that officer has done and all the circumstances of the case to the governor. The actions performed shall be considered to have been taken by order of the governor.</p> <p>10 Indiana Code § 16-7-10 Written orders calling to active duty; discretion in carrying out orders An officer whose command is called out under section 9 of this chapter and who is reporting to any civil officer may require the civil officer to make the order in writing and prescribe the outline of the duties required of the officer and the officer's command. The officer may decline to obey the orders until the orders are put in writing. Although the commanding officer must obey all lawful written orders of the civil officer, the military officer may use the officer's discretion as to the manner of carrying out the orders if the officer complies with their spirit.</p>			<p>HOT PURSUIT - OUTBOUND 10 Indiana Code § 16-8-5 <u>Service outside state; insurrectionists; saboteurs; enemies; pursuit beyond state; extradition</u> The Indiana guard reserve may not be required to serve outside Indiana except as follows: (1) Upon the request of the governor of another state, the governor of Indiana may order any part of or all the Indiana guard reserve to assist the military or police forces of another state who are engaged in defending the other state. The governor may recall these forces. (2) An organization, a unit, or a detachment of the Indiana guard reserve, upon order of the officer in immediate command of the guard reserve, may continue in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces beyond the borders of Indiana into another state until the insurrectionists, saboteurs, enemies, or enemy forces are apprehended or captured by the organization, unit, or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons. The pursuit is not authorized unless the other state gives authority by law for the pursuit by forces of Indiana. Any persons who are apprehended or captured in another state by an organization, unit, or detachment of the forces of Indiana shall without unnecessary delay be surrendered to the military or police forces of the state in which they are taken or to the United States. The surrender of insurrectionists or saboteurs to the military or police forces of the other state does not constitute a waiver by Indiana of its right to extradite or prosecute the insurrectionists or saboteurs for any crime committed in Indiana.</p> <p>HOT PURSUIT - INBOUND 10 Indiana Code § 16-8-6 <u>Military forces of foreign states; pursuit into state</u> (a) Military forces, organizations, units, or detachments of another state that are in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces may continue the pursuit into Indiana until the military or police forces of Indiana or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the insurrectionists, saboteurs, enemies, or enemy forces. (b) Military forces, organizations, units, or detachments of another state may arrest or capture insurrectionists, saboteurs, enemies, or enemy forces within Indiana while in fresh pursuit. A person who is captured or arrested by the military forces of the other state while in Indiana shall without unnecessary delay be surrendered to the military or police forces of Indiana to be dealt with according to law. (c) This section may not be construed to make unlawful any arrest in Indiana that would otherwise be lawful. This section does not repeal any provision of IC 35-33-3.</p> <p>Naval Battalion of the Indiana National Guard 10 Indiana Code § 16-13-1 <u>Organization of naval militia by naval or military schools</u> Sec. 1. In addition to the military forces authorized in Indiana, a naval or military school in Indiana that is receiving recognition from the United States Department of the Navy under 34 U.S.C. 312, approved June 29, 1906, may organize not more than four (4) companies of Naval Militia that constitute a battalion to be known as the Naval Battalion of the Indiana National Guard.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Iowa	Iowa Unorganized Militia 1 Iowa Code 29A.6	Iowa Army National Guard Iowa Air National Guard 1 Iowa Code 29A.2 and 29A.6	Iowa State Guard	None.
	CALL OUT 1 Iowa Code 29A.53 Call by president of U. S. Whenever the United States is invaded or in danger of invasion from any foreign nation, or of rebellion against the authority of the government of the United States, or the president is unable, with the regular forces at the president's command, to execute the laws of the union, it shall be lawful for the president to call forth such number of the national guard as the president may deem necessary to assist in repelling such invasion, suppressing such rebellion, or to assist in enabling the president to execute such laws, and to issue orders for that purpose, through the governor to such officers of the national guard as the president may think proper; and the president may specify, in the call, the period for which such service is required, and the guard so called forth shall continue to serve during the term so specified, either within or without the territory of the United States, unless sooner relieved by order of the president. Whenever the president shall require, in any of the designated instances, more troops than can be supplied by the national guard, the governor shall, in the governor's discretion, organize forthwith such other national guard forces as the governor may deem necessary, or order into the service of the United States so many of the unorganized militia of the state as is required, designating the same by draft if a sufficient number do not volunteer, and shall commission officers therefor. Officers and enlisted personnel called into federal service through the national guard shall upon completion of such service continue to serve the balance of their enlistment period the same as though it had not been interrupted by such service.		1 Iowa Code 29A.65 Activation. Whenever any part of the national guard is in federal service the governor may activate such part of the unorganized militia, to be designated the "Iowa State Guard", as the governor may deem necessary, subject to provisions of federal law and regulations relating to such military organizations.	
Kansas	Kansas Militia Kansas Military Reserve (Not included in the Kansas Militia) Kansas Statute 48-101;	Kansas Army National Guard Kansas Air National Guard	Kansas State Guard Kansas Statute 48-201;	None.
	CALL OUT Kansas Statute 48-505. Use without state, when. Such forces shall not be required to serve outside the boundaries of this state except that any organization, unit or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of <u>insurrectionists, saboteurs, enemies or enemy forces</u> beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons: Provided, Such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which such person is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.		HOT PURSUIT - INBOUND Kansas Statute 48-506. Permission to forces of other states. Any military forces or organization, unit or detachment thereof, of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful, and nothing contained in this section shall be deemed to repeal any of the provisions of the uniform act on the fresh pursuit of criminals. STATE GUARD Kansas Statute 48-201; Composition and organization; term "Kansas state guard" defined;... The Kansas army and air national guard shall consist of such units as the governor of Kansas may from time to time authorize to be formed, all to be formed and organized in accordance with the laws governing the regular army and regular air force of the United States and the regulations issued by the secretary of defense, the department of the army and the department of the air force of the United States. Wherever the term Kansas state guard is used in this chapter, it shall be understood to consist of such units of the organized militia as the governor of Kansas may from time to time authorize to be formed when the national guard has been ordered or called into federal service. ...	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Kentucky	No statutes found for unorganized or inactive militia.	Kentucky Army National Guard Kentuck Air National Guard 5 Kentucky Rev. Stat. 38.020	Kentucky State Defense Force 5 Kentucky Rev. Stat. 37.170	None
	CALL OUT 5 Kentucky Rev. Stat. 38.030 Ordering Troops into State Active Duty -- Nontactical Direction by Local Civil Officers. (1) Only the Governor shall have the authority to order units and members of the Kentucky National Guard into state active duty. (a) The Governor may order units and individual members of the Kentucky National Guard into state active duty for any of the following purposes: 1. Protecting lives and property; 2. Assisting in <u>disaster</u> relief or other humanitarian efforts; 3. Preventing or suppressing riot or civil disorder; 4. Enforcing the laws of the Commonwealth; or 5. Other similar purpose.		CALL OUT 5 Kentucky Rev. Stat. 37.170 Kentucky State Defense Force -- Organization -- Reorganization. (2) Whenever the President of the United States shall call any part of the National Guard of this state into active federal service, the Governor is hereby authorized to organize the Kentucky State Defense Force under such regulations as may be promulgated by the Governor or adjutant general.	
Louisiana	Louisiana Unorganized Militia 29 La.Rev.Stat. § 3 29 La. Rev.Stat § 6	Louisiana National Guard 29 La.Rev.Stat. § 3	Louisiana State Guard 29 La.Rev.Stat. § 3 29 La.Rev.Stat. § 5	None
	CALL OUT BY GOVERNOR 29 La.Rev.Stat. § 7. Calling Militia for Active Service by Governor; Homeland Security and Emergency Preparedness; Public Emergency A. The governor may order into the active service of the state any part of the militia that is necessary to provide for homeland security or emergency preparedness or in the event of insurrection, invasion, or riot, or imminent danger thereof, or in the event of public disaster or danger from flood, fire, storm, earthquake, civil disturbances, terrorist events, <u>or in order to detect, prevent, prepare for, investigate, respond to, or recover from any of the foregoing</u> , or to assist the civil authorities in guarding prisoners, or in response to a national or state emergency or a congressional authorization or presidential declaration pursuant to the War Powers Resolution (50 U.S.C. 1541 et seq.). B. When called to state service by the governor as provided in Subsection A, members of the Louisiana National Guard and military police shall, unless otherwise restricted by the executive orders, proclamations, or regulations or the orders of their commander, have all of the powers and authority of peace officers, including but not limited to the powers to make arrests, to perform searches and seizures, to execute criminal warrants, and to exercise such other powers and duties of a peace officer as are reasonably necessary to preserve the lives, property, and security of persons in the subject civil jurisdiction, all in accordance with the laws and constitutions of Louisiana and the United States of America. C. <u>When the active National Guard, or a part thereof, is called to duty under the constitution and laws of the United States of America, the governor shall order into service the remaining units of the active National Guard, if any, or any part thereof that is necessary.</u> D. <u>If the number of persons available from the active national guard is not sufficient, he shall order out whatever part of the Unorganized Militia necessary.</u> During the absence of active national guard organizations in the service of the United States of America, their state designations shall not be given to new organizations.		CALL OUT BY MAYOR, SHERIFF, OR DISTRICT JUDGE 29 La.Rev.Stat. § 8. Senior Officer of Command Ordering out Forces A. Whenever, under the circumstances mentioned in R.S. 29:7, it is not possible to communicate with the governor or the adjutant general, the senior officer of a command, upon the request of a mayor, a sheriff, or a district judge, shall order out the forces under his command, or any part thereof, for the protection of the community. As soon as possible, the senior officer shall report his action and the facts to the governor, the adjutant general, and his immediate commanding officer. B. When the troops have arrived at the appointed place, the commanding officer shall receive and execute the general instructions that are given him by the mayor, the sheriff, or the district judge. These instructions shall be in writing if practicable. (Acts 1974, No. 622, §1.)	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
	Unorganized Militia “Per Se” Not Recognized in the Statutes.	Maine Army National Guard Maine Air National Guard	Maine State Guard 37B Me.Rev.Stat. § 221; § 222; § 224; § 225	Maine Naval Militia 37B Me.Rev.Stat. § 221; § 222; § 223
Maine	<p>Chapter 3: MILITARY BUREAU Subchapter 1: ORGANIZATION OF STATE MILITARY FORCES 37B Me.Rev.Stat. § 101-A. Definitions</p> <p>1. Active state service. As used in this Title, “active state service” means all military duty performed as a member of the state military forces pursuant to this Title or the United States Code, Title 32. [1995, c. 196, Pt. B, §1 (amd).]</p> <p>2. Military forces. “Military forces” means the state military forces, as defined in Section 102.</p> <p>CALL OUT: Chapter 3: MILITARY BUREAU Subchapter 3: ACTIVATION OF STATE MILITARY FORCES 37B Me.Rev.Stat. § 181-A. Authority to activate</p> <p>1. By order of the Governor. The Governor may order members of the state military forces to active state service in the case of, or imminent danger of, insurrection, invasion, tumult, riot, conspiracy to commit a felony or threat of violence to persons or property or upon the reasonable apprehension thereof; or for the safety of the inhabitants of this State; or, in the case of actual or imminent public disaster, to the aid of any civil authority. [1995, c. 600, §2 (new).]</p> <p>2. By order of a justice or sheriff. In case of, or in the event of imminent danger of, insurrection, invasion, tumult, riot or conspiracy to commit a felony, to offer violence to persons or property or by force to break the laws of this State or the United States, a Justice of the Supreme Judicial Court or a Justice of the Superior Court or a county sheriff may request in writing aid from a commanding officer in the state military forces. The commanding officer to whom the request is made shall order out, in aid of the civil authorities, all or part of the military forces under that commanding officer’s command and shall immediately report to the Adjutant General and to that commanding officer’s military superior for further instructions. The commanding officer may receive only general directions from the civil authority requesting the aid and remains strictly responsible to the commanding officer’s military superior for the manner in which the troops are used to accomplish the desired end. [1995, c. 600, §2 (new).]</p> <p>3. Upon request of local officials. In the event of an emergency requiring immediate action, the commanding officer, upon written request of the mayor of a city, the municipal officers of a town or a municipality, may order out, for the defense or protection of the community, the forces under the commanding officer’s command or any part of those forces. The commanding officer shall immediately report to the Adjutant General and to the commanding officer’s immediate commanding officer for further instructions.</p>		<p>Subchapter 4: SPECIAL PROVISIONS GOVERNING STATE MILITARY FORCES OTHER THAN THE NATIONAL GUARD 37B Me.Rev.Stat. § 221. Other State Military Components</p> <p>1. Organization. When necessary to provide for the adequate protection of the State, the Governor as Commander in Chief may organize as components of the state military forces an adequate number of Army and Navy units for the length of time which he directs. Those components shall consist of the militia, the naval militia and the Maine State Guard.</p> <p>2. Duties. In the event of the organization of other forces described in subsection 1, those units may be ordered by the Governor to perform duties which he directs, including duties that the National Guard would be called to perform, consistent with this chapter and other applicable laws.</p> <p>37B Me.Rev.Stat. § 224. Maine State Guard</p> <p>The Governor may organize and maintain within this State in time of peace or war or other emergency, the Maine State Guard, which organization and maintenance of the Maine State Guard shall be consistent with federal regulations prescribing the organization, standard of training, instruction and discipline of state military forces. [1983, c. 460, § 3 (new).]</p> <p>1. Composition. When activated, the Maine State Guard shall be composed of those persons enlisted, appointed or commissioned from the militia and other able-bodied citizens of the State and such other able-bodied soldiers and sailors who have previously served honorably in the United States Armed Services or the National Guard. A person may not become a member of the Maine State Guard, if he is a member of the National Guard or any component of the United States Armed Forces, active or reserve.</p> <p>Subchapter 4: SPECIAL PROVISIONS GOVERNING STATE MILITARY FORCES OTHER THAN THE NATIONAL GUARD 37B Me.Rev.Stat. § 223. Naval Militia</p> <p>1. Composition. The naval militia of the State of Maine shall consist of such persons as may be enlisted, appointed or commissioned therein from the militia.</p> <p>2. Administration. The Commander in Chief may organize the forces prescribed in subsection 1 as he deems proper. When in his judgment the efficiency of the naval militia will be increased thereby, or whenever public interest may demand it, he may alter, reorganize or disband any or all of the naval militia. He may, at any time, change the organization of the naval militia so as to conform to any organization, or system of drill or instruction adopted for the United States Navy, and increase and decrease for that purpose the number of officers, warrant officers, chief petty officers, petty officers and enlisted men and to change their grades, titles and designations.</p> <p>The system of administration, drill and instruction of the naval militia shall conform, as nearly as practicable, to that of the United States Navy.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Maryland	<p>Maryland Militia (in General) Md. Code PUBLIC SAFETY § 13-203(a)(2) and § 13-203(c)</p>	<p>Maryland Army National Guard Maryland Air National Guard Md. Code PUBLIC SAFETY § 13-203(b)(1) Md. Code PUBLIC SAFETY § 13-401</p>	<p>Maryland Defense Force Md. Code PUBLIC SAFETY § 13-203(b)(3) Web site: www.mddefenseforce.org</p>	None
	<p>CALL OUT Md. Code PUBLIC SAFETY § 13-506. Use Outside of this State. (a) In general.- Except as provided in subsections (b) and (c) of this section, the Maryland Defense Force may not be required to serve outside the State. (b) Request of governor of another state.- (1) On request of the governor of another state, the Governor of this State may order the Maryland Defense Force to serve outside the State to assist the military or law enforcement forces of the other state that are actually defending that state. (2) The Governor of this State may recall the Maryland Defense Force from the other state. (c) Fresh pursuit.- If fresh pursuit is authorized by law of another state, any organization, unit, or detachment of the Maryland Defense Force, on the order of the commanding officer of the organization, unit, or detachment, may continue in fresh pursuit of insurrectionists, saboteurs, or enemies outside of this State into the other state until: (1) the insurrectionists, saboteurs, or enemies are apprehended; or (2) the military or law enforcement forces of the other state or forces of the United States have had a reasonable opportunity to pursue or apprehend the insurrectionists, saboteurs, or enemies. (d) Surrender of captured persons.- (1) An organization, unit, or detachment of the Maryland Defense Force shall surrender without unnecessary delay an individual apprehended in another state to the military or law enforcement force of: (i) the state of apprehension; or (ii) the United States. (2) The surrender of an individual apprehended under paragraph (1) of this subsection to the military or law enforcement forces of another state is not a waiver by this State of the right to extradite or prosecute the individual for a crime committed in this State.</p> <p>HOT PURSUIT - INBOUND Md. Code PUBLIC SAFETY § 13-507. Pursuit by Military Forces of Other States. (a) In general.- A military force or an organization, unit, or detachment of a military force of another state that is in fresh pursuit of insurrectionists, saboteurs, or enemies may: (1) continue pursuit into this State until the military or law enforcement force of this State or the forces of the United States have had a reasonable opportunity to pursue or apprehend the insurrectionists, saboteurs, or enemies; and (2) arrest an insurrectionist, saboteur, or enemy apprehended in this State while in fresh pursuit. (b) Surrender of captured persons.- A military force of another state that arrests an individual in this State shall surrender without unnecessary delay the individual to the military or law enforcement force of this State or the United States to be dealt with according to law. (c) Construction.- (1) This section does not make unlawful an arrest in this State that would otherwise be lawful. (2) This section does not repeal any provision of the Uniform Act on Fresh Pursuit under Title 2, Subtitle 3, Part II of the Criminal Procedure Article.</p>		<p>CALL OUT Md. Code PUBLIC SAFETY § 13-701. Authority to Order out for Service; Failure to Appear. (a) In general.- (1) If the militia of the State is ordered under the Constitution and laws of the United States into the active military service of the United States, the Governor may order out for active duty the organized militia. (2) If the number of organized militia available is insufficient, the Governor may order out the unorganized militia. (b) Failure to appear.- Each member of the unorganized militia who volunteers or is ordered out is subject to court-martial under this title for failure to appear at the time and place designated by the member's commanding officer.</p> <p>Md. Code PUBLIC SAFETY § 13-702. Militia in State Active Duty. (a) Scope of section.- This section applies to the Maryland Defense Force when the Maryland Defense Force exists under law. (b) Gubernatorial authority to order militia into State active duty.- The Governor may order the militia into State active duty: (1) in times of or on reasonable apprehension of imminent public crisis, disaster, rioting, catastrophe, insurrection, invasion, tumult, or breach of peace; (2) when martial law is declared; (3) to enforce the laws; or (4) to carry on any function of the militia of the State. (c) Authority of militia in State active duty.- (1) To enforce the laws, a member of the militia in State active duty has all the authority of a peace or law enforcement officer. (2) The authority of the member extends throughout the State during the State active duty. (d) Relations with other authorities.- Whenever the militia is in State active duty, the ranking officer of the militia ordered into State active duty or that officer's subordinates on State active duty shall: (1) cooperate with local law enforcement authorities; or (2) if the exigencies of the case require and subject only to order from the Governor: (i) direct and control local law enforcement authorities and the Department of State Police; and (ii) assume all the powers vested in these subordinated law enforcement authorities. (e) 9-11 service bar.- (1) Any individual who is ordered into active duty for the National Guard in response to the foreign terrorist attacks in the United States on September 11, 2001, shall receive a service bar in recognition of this service. (2) The service bar shall depict the State flag and "9-11".</p>	

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Massachusetts	<p>Massachusetts Unorganized Militia Ma.Gen.Laws § 33-2, and -3.</p>	<p>Massachusetts Army National Guard Massachusetts Air National Guard Ma.Gen.Laws § 33-11</p>	<p>Massachusetts State Guard Ma.Gen.Laws § 33-10.</p>	<p>None.</p>
	<p>Ma.Gen.Laws § 33-3 Organized and Unorganized Militia The militia shall consist of two classes, namely, the organized militia, composed and organized as provided in this chapter, and the remainder, to be known as the unorganized militia. <u>The unorganized militia shall not be subject to duty except in case of war, actual or threatened, invasion, the prevention of invasion, the suppression of riots, and the assisting of civil officers in the execution of the laws.</u></p> <p>Ma.Gen.Laws § 33-4 Organized Militia, Composition The active or organized militia shall be composed of volunteers, and shall comprise the aides-de-camp of the Commander-in-chief, the state staff, the armed forces of the commonwealth as defined in section ten, the National Lancers, the retired list, persons employed as air defense technicians on the on-site missile program, and a special quartermaster detachment of enlisted personnel duly appointed as armorers in the various armories or air installations of the commonwealth. The organized militia shall constitute the military division of the executive branch of the commonwealth.</p> <p>Ma.Gen.Laws § 33-4A National Lancers; organization The National Lancers shall be organized as the commander-in-chief directs, and may retain its name and the right to wear such distinctive uniform as may be approved by the commander-in-chief, and its ancient privileges, including its method of selecting its officers and conducting its internal affairs, so long as the same are not repugnant to the laws of the commonwealth or of the United States. Said organization may use land and stable facilities belonging to the commonwealth for its activities, equipment and exercises without charge and may receive from the commonwealth, its departments, divisions or bureaus or the federal government, without charge, any surplus equipment, goods, or other materials, as are available, provided that all such equipment, goods and materials remain the property of the commonwealth and are accounted for as such.</p> <p>Section 11 National Guard; Composition The National Guard, Army or Air, shall consist of such organizations and units as the commander-in-chief may from time to time authorize to be formed, all to be organized in accordance with the laws of the United States affecting the national guard, army and air, and the regulations issued by the appropriate secretary of the department of defense.</p>			<p>CALL OUT Ma.Gen.Laws § 33-38 Use of Militia; Escort Duties; Emergencies The commander in chief may order out any part of the organized militia for escort and other duties including special duty and emergency assistance to state and local civil authorities in the preservation of life and property.</p> <p>Ma.Gen.Laws § 33-39 Use of Militia Outside the Commonwealth Except by order of the commander-in-chief, or with his consent, no unit of the armed forces of the commonwealth shall be ordered without the limits of the commonwealth or leave the commonwealth for any period or purpose whatever, with military property of the United States or of the commonwealth in its possession or use.</p> <p>Ma.Gen.Laws § 33-40 Use of Militia; Invasion or Insurrection The commander-in-chief shall order out the <u>armed forces</u> to repel an invasion or to suppress an insurrection made or threatened.</p> <p>Ma.Gen.Laws § 33-41 Use of Militia; Riots In case of a tumult, riot, mob or body of persons acting together by force to violate or resist the laws of the commonwealth, or when such tumult, riot or mob is threatened, or in case of public catastrophe or natural disaster, <u>and the usual police provisions are inadequate to preserve order and afford protection to persons and property, and the fact appears to the commander-in-chief, to the sheriff of a county, to the mayor or city manager of a city or to the selectmen of a town,</u> the commander-in-chief, upon his initiative or <u>at the request of such sheriff, mayor or city manager or selectmen,</u> may issue his order directed to the commander <u>of any organization or unit of the armed forces of the commonwealth directing him to order his command, or any part thereof, to appear at a time and place therein specified to aid the civil authority in suppressing such violations, preserving order, affording such protection and supporting the laws.</u></p> <p>Ma.Gen.Laws § 33-55 Unorganized Militia; Method of Impressment into Service When necessary to call out any part of the unorganized militia for duty, <u>the commander-in-chief shall issue a proclamation directed to the mayors or city managers and selectmen, who shall forthwith, by written order or oral notice to each individual, or by proclamation on their part, appoint a time and place for the assembling of the unorganized militia in their respective cities and towns, and shall then and there draft as many thereof, or accept as many volunteers, as are required by the order of the commander-in-chief, and shall forthwith forward to him a list of the persons so drafted or accepted as volunteers.</u></p>

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Michigan	<p>Michigan Unorganized Militia Mi.Comp.Laws § 32.501; .509;</p>	<p>Michigan Army National Guard Michigan Air National Guard Mi.Comp.Laws § 32.509</p>	<p>Michigan State Defense Force Mi.Comp.Laws § 32..655 Mi.Comp.Laws § 32.509; Michigan Emergency Volunteers Mi.Comp.Laws § 32..651;</p>	<p>Michigan Naval Militia Mi.Comp.Laws § 33.1</p>
	<p>Mi.Comp.Laws § 32.509 State Military Establishment; Composition; Organized and Unorganized Militia. Sec. 109. The organized militia of this state taken collectively shall be known as the State Military Establishment and constitutes the armed forces of this state. The organized militia consists of the Army National Guard, the Air National Guard, and the Defense Force when actually in existence as provided in this act. The Unorganized Militia consists of all other able-bodied citizens of this state and all other able-bodied citizens who are residents of this state who have or shall have declared their intention to become citizens of the United States, who shall be age 17 or over and not more than age 60, and shall be subject to state military duty as provided in this act.</p> <p>CALL OUT Mi.Comp.Laws § 32.555 Unorganized militia; power of the governor. Sec. 155. The governor may order into the defense force any members of the unorganized militia in case of riot, tumult, breach of the peace, resistance of process, or for service in aid of civil authority, whether state or federal, or in time of public danger, disaster, crisis, catastrophe or other public emergency within this state.</p> <p>CALL OUT 32.651 Michigan Emergency Volunteers; Conditions for Activating; Aid to Civil Authority Missions; Limitation on Organization; . . . Reference to Michigan Defense Force; . . . Weapons. Sec. 251. (1) When the president calls or orders all or part of the national guard into federal service in time of a national emergency or when it appears that the national guard may be called to federal service, the governor, as commander-in-chief, may activate within the military establishment such number of units to be known as the Michigan Emergency Volunteers, as the governor considers necessary for adequate emergency assistance to the state. When activated by proper authority, the Michigan Emergency Volunteers shall perform only aid to civil authority missions formerly reserved for the National Guard as determined by the department of military affairs in cooperation with the Department of State Police and the State Emergency Preparedness Plan. During times other than a national emergency, organization of the Michigan Emergency Volunteers shall not exceed 15% of the Michigan National Guard authorized strength. (5) As used in this act, a reference to the Michigan Defense Force means the Michigan Emergency Volunteers. (7) Members of the Michigan Emergency Volunteers shall not be equipped with any type of weapon except under the following conditions: (a) The president has called or ordered all or part of the National Guard into federal service in time of a national emergency and the mission of the Michigan Emergency Volunteers to whom weapons are issued consists primarily of the protection of public property. (b) During training to be conducted by the National Guard or State Police in the proper use of such weapons.</p>			<p>HOT PURSUIT Mi.Comp.Laws § 32.559 Mutual Military Assistance Agreement with Other States. Sec. 159. (1) The governor may enter into an agreement with the governors of 1 or more other states authorizing the military forces of this state, in time of invasion, rebellion, public disaster, or catastrophe, or to assist a state or local law enforcement agency, at the request of that state or local law enforcement agency, in enforcing a law prohibiting the importation, sale, delivery, possession, or use of a controlled substance as that term is defined in section 7104 of the public health code, 1978 PA 368, MCL 333.7104, or as defined in a similar law of the other state, to be employed within the area of the other states for mutual assistance in the public interest. (2) A member of the national guard from another state performing support duty to a federal, state, or local law enforcement agency in this state has the same immunity from liability and prosecution as does a member of the Michigan national guard in performing support duty to a federal, state, or local law enforcement agency. (3) The Michigan national guard is a law enforcement agency under this act solely for the purpose of receiving or using property or money forfeited under section 981(e)(2) of title 18 of the United States Code, 18 U.S.C. 981, section 616 of part V of title IV of the tariff act of 1930, chapter 497, 98 Stat. 2987, 19 U.S.C. 1616a, and section 511(e)(1)(A) of part E of the controlled substances act, title II of the comprehensive drug abuse prevention and control act of 1970, Public Law 91-513, 21 U.S.C. 881.</p> <p>HOT PURSUIT Mi.Comp.Laws § 32.567 Military Forces of Another State; Pursuit of Insurrectionist, Saboteur, or Enemy into this State; Surrender of Captives; Construction of Section. Sec. 167. A military force of another state which is in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state, until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued. The pursuing forces may arrest or capture such persons within this state while in fresh pursuit. Any person who is captured or arrested by the military forces of another state, while in this state, shall be surrendered without unnecessary delay to the military or police forces of this state to be dealt with according to law. This section shall not be construed to make unlawful an arrest in this state otherwise lawful, nor to repeal or prevent the application of any provision of law on the fresh pursuit of criminals.</p> <p>HOT PURSUIT Mi.Comp.Laws § 32.563 State Military Forces; Pursuit of Insurrectionist, Saboteur, or Enemy into Another State; Captives, Surrender and Extradition. Sec. 163. If the United States is at war or if any other emergency is declared by the president or the congress of the United States or by the governor or legislature, any organization, unit or detachment of the military forces of this state, by direction of the governor and upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state, until they are apprehended or captured by such organization, unit or detachment, or until the military or police forces of such other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued, if the other state has given authority by law for such pursuit by the forces of this state. Except as otherwise provided by law, a person who is apprehended or captured in another state by forces of this state shall be surrendered without unnecessary delay to the military or police forces of the state in which he is taken or to the United States. The surrender does not constitute a waiver by this state of its right to extradite or prosecute the person for a crime committed in this state.</p>

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Minnesota	<p>Minnesota Unorganized Militia Mn Stat. § 190.06 Subd.2(2) Mn Stat. § 191.05 et seq.</p>	<p>Minnesota National Guard. Mn Stat. § 192.01</p>	<p>Minnesota State Guard Mn Stat. § 190.06 Subd.2(2).</p>	<p><i>No Naval Militia in Minnesota</i> Table of contents for Chapter 194 194.01 to .08 Repealed, 1977 c 11 s 11 194.09 to .10 Repealed, 1947 c 125 s 22 194.11 to .17 Repealed, 1977 c 11 s 11</p>
	<p>Mn Stat. § 190.06 Militia Subd. 2. Classes. The militia shall be divided into two classes, the Organized Militia and the Unorganized Militia. The Organized Militia shall consist of the following: (1) the National Guard; (2) the State Guard, which shall comprise all organized components of the militia except the National Guard. The Unorganized Militia shall consist of all other members of the militia.</p> <p>HOT PURSUIT - OUTBOUND Mn Stat. § 190.025 Fresh Pursuit. Subdivision 1. Entry into Other States. In case the United States is at war or in case of any other emergency declared by the president or the Congress of the United States or by the governor or the legislature of this state, any organization, unit, or detachment of the military forces of this state, by direction of the governor and upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit, or detachment, or until the military or police forces of such other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued, provided such other state shall have given authority by law for such pursuit by such forces of this state. Except as otherwise provided by law, any person who shall be apprehended or captured in another state by any of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which the person is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p> <p>HOT PURSUIT - INBOUND Subd. 2. Military Forces of Other States May Enter State. Any military forces of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued, and the pursuing forces may arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law.</p>			<p>CALL OUT CHAPTER 191 UNORGANIZED MILITIA 191.05 Governor May Call Militia. Whenever the governor deems it necessary for any purpose authorized by the state Constitution or by law, may by public proclamation call out the militia or such part or number thereof as the governor may designate for military duty in the service of the state, and may provide for the enrollment, assembly, and muster into service by voluntary enlistment or by draft, as the governor may determine, of the militia so called out. For that purpose the governor may make orders and rules and enforce the same, appoint all necessary officers and fix their compensation, and may require all proper public officers to perform such duties as the governor may direct.</p>

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Mississippi	Mississippi Unorganized Militia Ms. Code § 33-5-1. Composition of the Militia.	Mississippi National Guard	Mississippi State Guard Ms. Code § 33-5-1 and 5-51.	Mississippi Naval Militia <i>No establishing Code was found authorizing the Naval Militia.</i>
	Ms. Code § 33-5-1. Composition of the Militia. The militia of the State of Mississippi shall consist of all able-bodied citizens of the state between the ages of seventeen (17) and sixty-two (62) years, who are not exempt by law of this state or of the United States, together with all other able-bodied persons who shall voluntarily enlist or accept commission, appointment or assignment to duty therein, subject to such classifications as may be hereinafter prescribed. The militia shall be divided into three (3) classes: The National Guard, the Mississippi State Guard, and the Unorganized Militia. The Unorganized Militia shall consist of all persons liable to service in the militia, but not members of the National Guard or the Mississippi State Guard. A seventeen-year-old person shall not be allowed to enlist or be assigned to duty without the written consent of both parents, if living, or one (1) parent if one (1) is deceased, or if both parents are deceased, the guardian of such person. Ms. Code § 33-7-1. Composition and Organization of the Mississippi National Guard. (a) The Mississippi National Guard shall consist of the organized militia within the ages prescribed by federal law and regulations, organized, armed and equipped as hereinafter provided, and of commissioned officers and warrant officers within the ages and having the qualifications prescribed by federal law and regulations. The number of officers and enlisted men of the national guard and the grades and designations thereof shall be as now or hereafter prescribed by federal law and regulations relating to the national guard, and all commissions and promotions shall be in accordance with the aforesaid regulations. (b) The Mississippi National Guard shall be divided into such organizations and units as may now or hereafter be prescribed for this state by federal law or regulations, consisting of that portion of the national guard of the United States apportioned and assigned to this state in accordance with tables of organizations prescribed by the department of defense and approved by the governor of Mississippi. (c) The Governor shall have power to increase the national guard by voluntary enlistment or by draft, and to organize the same, with proper officers, as the necessities of the service may require, in the manner provided for in Sections 33-5-1 through 33-5-17 of Chapter 5 of this title, in periods of national or state emergency as therein provided for. CALL OUT Ms. Code § 33-5-9. Unorganized Militia; When Subject to Duty. The unorganized militia, or any part thereof, shall not be subject to any active military duty, except when called into the service of the United States or when called into the service of this state by the Governor in case of war, rebellion, insurrections, invasion, tumult, riot, breach of the peace, public calamity or catastrophe or other state or national emergency or imminent danger thereof. When the militia of this state, or any part thereof, is called forth under the constitution and laws of the United States, the Governor shall first order out for service the national guard, and then the Mississippi State Guard, or such parts thereof as may be necessary, and if the number available be insufficient, he shall then order out such part of the unorganized militia as he may deem that the necessity requires.		HOT PURSUIT § 33-7-7. Governor May Order Troops Beyond Borders of State for Instruction. The commander in chief is authorized to order out the Mississippi National Guard, or any part thereof, for training or service beyond the borders of the state, with any part of the armed forces of the United States, whenever participation in such training or serving is authorized by the secretary of defense, or to repel invasion. Whenever the Mississippi National Guard, or any part thereof, not being in the service of the United States, goes beyond the limits of the state, they shall still remain under the military laws and regulations of the state, and any military court of the state shall have jurisdiction over any offense against the military laws of the state committed by any member of the Mississippi National Guard while performing any such military duty beyond the limits of the state, whether such court be organized and sit in the state or not. TITLE 97 CRIMES : CHAPTER 7 CRIMES AGAINST SOVEREIGNTY OR ADMINISTRATION OF GOVERNMENT Ms. Code § 97-7-61. Military service; organizing military body for public drill or parade; license required. It shall be unlawful for any body of men whatsoever, other than the regularly organized land and naval militia of this state, the land and naval forces of the United States, and the students of public or of regularly chartered educational institutions where military science is a prescribed part of the course of instruction, to associate themselves together as a military organization for drill or parade in public with firearms in this state, without special license from the governor for each occasion, and application for such license must be approved by the mayor and board of aldermen or commissioners of the town or city where such organization may propose to parade, and any person or persons participating in such unlawful association shall be guilty of a misdemeanor and on conviction of same shall be punished by imprisonment in the county jail for a term not to exceed six months or by a fine not to exceed five hundred dollars, or both fine and imprisonment, at the discretion of the court. Provided that the governor may permit the passage through or the attendance in the state of the organized militia of other states for the purpose of attending joint maneuvers, rifle competitions, or for such other purposes as he may deem proper..	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Missouri	Missouri Unorganized Militia Missouri Reserve Military Force Mo.Rev.Stat.§ 41.050; .070.3	Missouri National Guard Missouri Air National Guard	None.	Missouri Naval Militia Mo.Rev.Stat.§ 41.070.2(3)
	<p>Mo.Rev.Stat.§ 41.070. Organized and Unorganized Militia</p> <p>1. The militia of the state is divided into two classes, the organized militia and the unorganized militia.</p> <p>2. The organized militia shall consist of the following:</p> <p style="padding-left: 20px;">(1) Such elements of the land and air forces of the National Guard of the United States as are allocated to the state by the President or the Secretary of Army or Air, and accepted by the state, hereinafter to be known as the National Guard and the Air National Guard;</p> <p style="padding-left: 20px;">(2) Such elements of the reserve naval forces of the United States as are allocated to the state by the President or the Secretary of the Navy, and accepted by the state, hereinafter called the Naval Militia; and the</p> <p style="padding-left: 20px;">(3) Missouri Reserve Military Force, when organized.</p> <p>3. The Unorganized Militia shall consist of all persons liable to serve in the militia but not commissioned or enlisted in the organized militia.</p> <p>CALL OUT – MARTIAL LAW</p> <p>Mo.Rev.Stat.§ 41.480. Organized Militia When Called to Duty – Martial Law.</p> <p>1. The governor may, when in his opinion the circumstances so warrant, call out the organized militia or any portion or individual thereof to execute the laws, suppress actual and prevent threatened insurrection and repel invasion. The governor, if in his judgment the maintenance of law and order will thereby be promoted, <u>may by proclamation declare martial law throughout the state or any part thereof.</u></p> <p>2. The governor may, when in his opinion circumstances so warrant, call out the organized militia or any portion thereof as he deems necessary to provide emergency relief to a distressed area in the event of earthquake, flood, tornado or other actual or threatened public catastrophe creating conditions of distress or hazard to public health and safety beyond the capacities of local or other established agencies.</p>		<p>CALL OUT – HOT PURSUIT</p> <p>Mo.Rev.Stat.§ 41.490. Reserve Military Force--powers of Governor.</p> <p>The governor shall have the power to organize from the unorganized militia of Missouri a Reserve Military Force for duty <u>within or without the state</u> to supplement the Missouri National Guard or <u>replace it when it is mobilized in federal service.</u> The Missouri Reserve Military Force may be used to execute the laws, suppress insurrections, repel invasion, suppress lawlessness, and provide emergency relief to distressed areas in the event of earthquake, flood, tornado, or actual or threatened enemy attack or public catastrophe creating conditions of distress or hazard to public health and safety beyond the capacity of local or established agencies. The force shall consist of such organized troops, auxiliary troops, staff corps and departments as the governor deems necessary. The governor shall prescribe the strength and composition of the various units of the same, uniform and insignia and the qualifications of its members, and shall have the power to grant a discharge therefrom for any reason deemed by him sufficient.</p> <p>CALL OUT – MISSOURI RESERVE MILITARY FORCES (UNORGANIZED MILITIA)--CALLED TO DUTY, WHEN.</p> <p>Mo.Rev.Stat.§ 41.500. Reserve Forces--called to Duty, When.</p> <p>The governor may call out the Reserve Forces, or any part of the same, to execute the laws, to suppress insurrections, repel invasion, and suppress lawlessness and provide emergency relief to distressed areas in the event of earthquake, flood, tornado, or other actual or threatened public catastrophe creating conditions of distress or hazard to public health and safety beyond the capacities of local or other established agencies, under the same circumstances and in the same manner as is in this chapter provided for the use of the national guard, the air national guard and the organized militia in such emergencies, and when so placed on duty, the reserve forces shall have the same status, power and authority conferred upon the national guard, the air national guard and the organized militia by this chapter.</p> <p>CALL OUT – INTO FEDERAL SERVICE</p> <p>Mo.Rev.Stat.§ 41.530. Governor Shall Order Militia into Federal Service, When.</p> <p>Whenever the militia or any part thereof is called, ordered or drafted under the constitution and laws of the United States, the governor shall order for service the national guard, air national guard and the naval militia or such part thereof as may be required.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Montana	Montana Unorganized Militia Mt.Code.An. § 10-1-103(2)	Montana National Guard Mt.Code.An. § 10-1-103(1).	Montana Home Guard Mt.Code.An. § 10-1-103(1)	None.
	Mt.Code.An. § 10-1-102. Powers and Duties of Department of Military Affairs. Under the direction of the governor, the department shall: <ol style="list-style-type: none"> (1) keep a roster of all officers and enlisted persons of the militia of this state whether active, inactive, or retired; (2) supervise, administer, and coordinate civil defense and disaster control activities; (3) recruit, mobilize, administer, train, discipline, equip, and supply the organized militia; (4) maintain the archives and keep the records and documents required by law or regulation to be filed with the United States department of defense; (5) establish and maintain the headquarters required for the militia; (6) exercise the powers vested in it and perform any other duty and function required of it by the governor and by federal and state laws and regulations. 		Mt.Code.An. § 10-1-701. Home Guard – Organization and Composition. The home guard may be organized, maintained, and disbanded at the discretion of the governor, in accordance with federal law and regulation, when additional defense forces are needed in this state. The home guard shall be composed of officers assigned to it and any able-bodied citizen of this state who volunteers to serve in it. If additional persons are needed in the home guard, members of the unorganized militia shall serve if enrolled by draft or otherwise as provided by law and regulation.	
Mt.Code.An. § 10-1-103. Classes of Militia. The classes of the militia are: <ol style="list-style-type: none"> (1) the organized militia, which consists of the National Guard and the Montana Home Guard; (2) the Unorganized Militia, which consists of the members of the militia who are not members of the organized militia. 				

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Nebraska	<p>Nebraska Reserve Militia Ne.Stat. § 55-105</p>	<p>Nebraska Army National Guard Nebraska Air National Guard Ne.Stat. § 55-105</p>	<p>Nebraska State Guard</p>	<p>None.</p>
	<p>CALL OUT & HOT PURSUIT Ne.Stat. § 55-212 Service Within State; Exceptions. Such forces are not required to serve outside the boundaries of this state except (1) upon the request of the Governor of another state, in which case the Governor of this state may, in his discretion, order any portion or all of such forces to assist the military or police forces of such other state who are actually engaged in defending such other state; and such forces may be recalled by the Governor at his discretion; and (2) any organization, unit or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment, or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; PROVIDED, such other state shall have given authority by law for such pursuit by such forces of this state.</p> <p>Ne.Stat. § 55-213 Fugitive; Apprehension in Another State; Duty. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of the forces of this state shall, without unnecessary delay, be surrendered to the military or police forces of the state in which he is taken or to the United States; but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p> <p>Ne.Stat. § 55-214 Fugitive to this State; Capture Authorized. Any military forces or organization, unit or detachment thereof, of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons, and are hereby authorized to arrest or capture such persons within this state while in fresh pursuit.</p>		<p>Ne.Stat. § 55-215 Fugitive to this State; Apprehension; Surrender to Local Authorities. Any such person who shall be captured or arrested by the military forces of such other state while in this state, shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law.</p> <p>Ne.Stat. § 55-216 Fugitive to this State; Sections, How Construed. Nothing in sections 55-214 and 55-215 shall be construed so as to make unlawful any arrest in this state which would otherwise be lawful. Nothing contained in said sections shall be deemed to repeal, modify or conflict with any of the provisions of present or future laws of this state with relation to the fresh pursuit of criminals.</p> <p>Ne.Stat. § 55-201 Nebraska State Guard; When Called into Service; Organization. Whenever any part of the National Guard of the State of Nebraska is in active federal service, whenever the President of the United States shall declare a national emergency, or whenever the Governor shall declare an emergency, the Governor is hereby authorized to organize and maintain within this state during such periods, under such regulations as the Secretaries of the Army and Air Force of the United States may prescribe for the organization, standards of training, instruction, and discipline, such military forces as the Governor may deem necessary to defend this state. Such forces shall be composed of officers commissioned or assigned by the Governor, and such able-bodied citizens of the state as shall volunteer for service therein, supplemented, if necessary, by men of the reserve militia enrolled by draft or otherwise as provided by law. Such forces shall be additional to and distinct from the National Guard and shall be known as the Nebraska State Guard. Such forces shall be uniformed.</p>	

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Nevada	<p>Nevada National Guard Reserve</p>	<p>Nevada Army National Guard Nevada Air National Guard</p>	<p>None.</p>	<p>None</p>
<p>Nv.Rev.Stat. § 412.026 Composition of Militia.</p> <p>1. The militia of the State is composed of the Nevada National Guard and, when called into active service by the Governor, the Nevada National Guard Reserve and any volunteer organizations licensed by the Governor.</p> <p>2. The Nevada National Guard is an organized body of enlisted personnel between the ages of 17 and 64 years and commissioned officers between the ages of 18 and 64 years, divided into the Nevada Army National Guard and the Nevada Air National Guard.</p> <p>3. The Nevada National Guard Reserve is an unorganized body comprising all able-bodied residents of the State between the ages of 17 and 64 years who:</p> <ul style="list-style-type: none"> (a) Are not serving in any force of the Nevada National Guard; (b) Are or have declared their intention to become citizens of the United States; and (c) Are not exempted from military duty under the laws of this state or the United States. <p>4. If a volunteer organization is formed and becomes licensed by the Governor, it shall consist of an organized body of able-bodied residents of the State between the ages of 17 and 64 years who are not serving in any force of the Nevada National Guard and who are or who have declared their intention to become citizens of the United States.</p> <p>CALL OUT</p> <p>NRS 412.128 Ordering National Guard Reserve or volunteer organization into active service; regulations.</p> <p>1. Whenever the Governor deems it necessary in time of peace, he may call all or any part of the Nevada National Guard Reserve or volunteer organizations licensed by the Governor into active service to be organized pursuant to Office regulations to augment the Nevada National Guard as an internal security force.</p> <p>2. In time of war, the Governor may call all or any part of the Nevada National Guard Reserve or volunteer organizations licensed by the Governor into active service to be organized pursuant to Office regulations to replace the Nevada National Guard as a state force when the Nevada National Guard is ordered into federal service.</p> <p>3. Whenever laws of the United States authorize the organization of such state forces under federal recognition, the Governor or Adjutant General may promulgate such Office regulations as are necessary to comply with such federal laws and obtain federal recognition for the force authorized by this section.</p> <p>CALL OUT -& HOT PURSUIT (construed under “every description”)</p> <p>Nv.Rev.Stat. § 412.038 Service of Nevada National Guard Outside State.</p> <p>1. The Governor may order the Nevada National Guard or any part thereof to serve outside the borders of this state or of the United States in order to perform military duty of <i>every description</i> and to participate in parades, reviews, conferences, encampments, maneuvers or other training, and to participate in small arms and other military competitions and to attend service schools.</p> <p>2. The provisions of this chapter apply to the members of the Nevada National Guard while serving without the State and while going to and returning from such service without the State in like manner and to the same extent as while serving within the State.</p>			<p>CALL OUT – BY GOVERNOR, OR IN ABSENCE OF GOVERNOR, BY CIVIL OFFICER</p> <p>Nv.Rev.Stat. § 412.122 Governor May Order National Guard into Active Service of State and Declare Martial Law; Procedure in Absence of Governor from State.</p> <p>1. The Governor may in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, or other substantial threat to life or property, order into active service of the State for such a period, to such an extent and in such a manner as he deems necessary all or any part of the Nevada National Guard. The authority of the Governor includes the power to order the Nevada National Guard or any part thereof to function under the operational control of the United States Army, Navy or Air Force commander in charge of the defense of any area within the State which is invaded or attacked or is or may be threatened with invasion or attack.</p> <p>2. In case of the absence of the Governor from the State, or if it is impossible to communicate immediately with him, the civil officer making a requisition for troops may, if he deems the necessity imminent and not admitting of delay, serve a copy of the requisition, together with a statement of the Governor’s absence or the impossibility of immediately communicating with him, upon the following officers in this order:</p> <ul style="list-style-type: none"> (a) Lieutenant Governor; (b) Adjutant General; and (c) Other officers designated in a chain of command prescribed by Office regulations. <p>➡ <i>If the call is afterward disapproved by the Governor, the troops called into service must be disbanded immediately.</i></p> <p>3. The Governor may order into active service of the State for such a period, to such an extent and in such a manner as he deems necessary units or individual members of the Nevada National Guard when in his judgment the services of the units or members are required for:</p> <ul style="list-style-type: none"> (a) The furtherance of the organization, maintenance, discipline or training of the Nevada National Guard; (b) The welfare of the public; or (c) Ceremonial functions of the State Government. <p>4. Whenever any portion of the Nevada National Guard is employed pursuant to subsection 1, the Governor, if in his judgment the maintenance of law and order will thereby be promoted, may by proclamation declare the county or city in which the troops are serving, or any specified portion thereof, to be under martial law.</p> <p>Nv.Rev.Stat. § 412.123 Order Calling National Guard into Active Service Directed to Commanding Officer.</p> <p>1. A call for any portion of the Nevada National Guard shall be made by an order issued and directed to the commanding officer of the unit which is so called into service. The order shall designate the particular troops called, the time and place of rendezvous, and the officer to whom they shall report.</p> <p>2. The order shall be communicated immediately by the officer receiving it to the troops under his command, and he shall rendezvous and report for duty at the appointed place and time.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
New Hampshire	<p>New Hampshire Unorganized Militia NH.Rev.Stat. § 110-B:1</p>	<p>New Hampshire Army National Guard New Hampshire Air National Guard</p>	<p>New Hampshire State Guard NH.Rev.Stat. § 110-B:1</p>	<p>New Hampshire Naval Militia NH.Rev.Stat. § 110-B:1 “V. When authorized by the laws and regulations of the United States, there shall be <u>an additional section of the state guard to be known as the New Hampshire Naval Militia.</u>”</p>
	<p>COMPOSITION OF MILITIA NH.Rev.Stat. § 110-B:1 Composition of the Militia. – I. The militia shall be divided into 3 classes, namely the National Guard, the State Guard, and the Unorganized Militia. II. The National Guard shall consist of an Army National Guard, an Air National Guard, and an Inactive National Guard. As used in this chapter, the term “National Guard” shall mean and refer to the Army National Guard and the Air National Guard unless otherwise indicated. III. The State Guard shall consist of those persons serving in accordance with the provisions of RSA 111. IV. The unorganized militia shall consist of all able-bodied residents of the state who are 18 years of age or older, who are, or have declared their intention to become, citizens of the United States, and who are not serving in the National Guard or the State Guard. V. When authorized by the laws and regulations of the United States, there shall be an additional section of the State Guard to be known as the New Hampshire Naval Militia.</p> <p>CALL OUT - FEDERAL SERVICE NH.Rev.Stat. § 110-B:5 Militia Call by the United States. When the militia of the state is called forth under the constitution and laws of the United States, the governor shall order out for service the national guard or such part thereof as may be necessary; and if the number available be insufficient, the governor may call for and accept from the unorganized militia as many volunteers as are required for service in the national guard, or the governor may direct the members of the unorganized militia or such of them as may be necessary to be drafted into the national guard.</p> <p>CALL OUT - STATE SERVICE NH.Rev.Stat. § 110-B:6 Ordering National Guard Into Active State Service. The governor shall have power, in case of invasion, disaster, insurrection, riot, breach of the peace, resistance to process of this state, or imminent danger thereof, or for the safety of the inhabitants of the state, to order into the active service of the state for such period, to such extent, and in such manner as the governor may deem necessary, all or any part of the national guard. Such power shall include the power to order the national guard or any part thereof to function under the operational control of the United States army, navy or air force commander in charge of the defense of any area within the state which is invaded or attacked or is or may be threatened with invasion or attack. The governor shall also permit paid and unpaid training and other state duty under such regulations as prescribed by the adjutant general.</p> <p>NH.Rev.Stat. § 110-B:12 Service Without the State. The governor may order the national guard or any part thereof to serve outside the borders of this state or of the United States in order to perform military duty of every description and to participate in parades, reviews, conferences, encampments, maneuvers or other training, and to participate in small arms and other military competitions and to attend service schools. The provisions of this chapter shall apply to members of the national guard while serving outside the state and while going to and returning from such service outside the state in like manner and to the same extent as while serving within the state.</p>		<p>COMPOSITION OF STATE GUARD NH.Rev.Stat. § 111:2 Composition. Such military forces shall be composed of commissioned officers and such able-bodied citizens of the state as shall volunteer for service therein, supplemented, if necessary, by the Unorganized Militia enrolled by draft and subject to military duty as provided by RSA 110-B and, in addition to active units, may include inactive and reserve components. No person shall be appointed or enlisted in the State Guard who is a member of any other military force of the United States or the state of New Hampshire, or who has any service obligation to any of the armed forces of the United States, except that a retired military member may be appointed or enlisted in the State Guard, if otherwise qualified.</p> <p>HOT PURSUIT - OUTBOUND NH.Rev.Stat. § 111:11 Service Outside of New Hampshire. The state guard shall not be required to serve outside the boundaries of the state of New Hampshire except: I. Upon the request of the governor of another state, the governor of this state may in his discretion order any portion or all of the state guard to assist the military or police forces of such other state who are actually engaged in defending such other state. The state guard may be recalled from such service by the governor at his discretion. II. Any unit or detachment of the New Hampshire National Guard when not in active federal service, or of the State Guard, upon order of the adjutant general or the officer in immediate command thereof, of such unit or detachments, may continue in <i>fresh pursuit</i> of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons: <i>Provided, such other state shall have given authority by law for such pursuit by the National Guard or the State Guard of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of such military forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</i></p> <p>HOT PURSUIT - INBOUND NH.Rev.Stat. § 111:12 Permission to Forces of Other States. Any military forces or organization, unit or detachment thereof, of another state who are in <i>fresh pursuit</i> of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful; and nothing contained in this section shall be deemed to repeal any other statutory provisions relating to the fresh pursuit of criminals.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
	New Jersey Unorganized Militia NJ.Stat. § 38A:1-3(b)	New Jersey National Guard	New Jersey State Guard NJ.Stat. § 38A:1-3(a)	New Jersey Naval Militia NJ.Stat. § 38A:1-3(a)
New Jersey	<p>NJ.Stat. § 38A:1-3. Classes of Militia The classes of the militia are: (a) The organized militia, which consists of the National Guard, the Naval Militia and the State Guard; and (b) The Unorganized Militia, which consists of the members of the militia who are not members of the organized militia.</p> <p>CALL OUT NJ.Stat. § 38A:2-4. Militia Ordered to Active Duty in Certain Cases The Governor may, in case of insurrection, invasion, tumult, riot, breach of the peace, natural disaster, or imminent danger to public safety, order to active duty all or any part of the militia that he may deem necessary. He may maintain such forces on such active duty until the exigencies shall have passed.</p>		<p>NAVAL MILITIA 38A:8-1. Organization and Composition The Naval Militia may be organized, maintained and disbanded at the discretion of the Governor under applicable Federal laws and regulations. The Naval Militia shall consist of such organizations and units of the <u>Naval Reserve of the United States</u> as may be prescribed by the Governor and shall be composed of officers and enlisted men who meet the qualifications for membership in such Naval Reserve and are so enrolled therein.</p>	
	New Mexico Unorganized Militia NM.Stat.Ann. § 20-2-2.	New Mexico National Guard	New Mexico State Defense Force NM.Stat.Ann. § 20-2-2.A. NM.Stat.Ann. § 20-5-1.A.	None.
New Mexico	<p>NM.Stat.Ann. § 20-2-2. Militia Composition The militia is composed of the organized and the unorganized militia. A. The organized militia is the National Guard and the standing cadre of the State Defense Force, and such parts of the Unorganized Militia when and as may be activated, enrolled or enlisted into the National Guard or into the State Defense Force.</p> <p>NM.Stat.Ann. § 20-2-5. Fresh pursuit. A. In case the United States is at war or in case of any other emergency declared by the president or the congress of the United States or by the governor or the legislature of this state, any organization, unit or detachment of the military forces of this state by direction of the governor and upon order of the officer in immediate command thereof may continue in fresh pursuit of insurrectionists, saboteurs, perpetrators of felony, enemies or enemy forces beyond the borders of this state into another state of the United States until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of such other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued, provided such other state shall have given authority by law for such pursuit by such forces of this state. Except as otherwise provided by law, any person who shall be apprehended or captured in another state of the United States by any of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state. B. Military forces of other states of the United States may enter this state. Any military forces of another state of the United States who are in fresh pursuit of insurrectionists, saboteurs, perpetrators of felony, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture the persons pursued and the pursuing forces may arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. C. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful or to repeal or prevent the application of any of the provisions of the Uniform Act on Fresh Pursuit [31-2-1 to 31-2-7 NMSA 1978].</p>		<p>NM.Stat.Ann. § 20-2-3. Governor; Power to Call out Militia. A. The governor may, in case of insurrection, invasion, riot or breach of the peace or of imminent danger thereof or in case of other emergency, order into active service of the state the militia or any components or parts thereof that have not been called into federal service. As used in this section, “emergency” includes any man-made or natural disaster causing or threatening widespread physical or economic harm that is beyond local control and requiring the resources of the state. B. In case of any breach of the peace, tumult, riot or resistance to process of this state or imminent danger thereof, the sheriff of a county may call for aid from the governor as commander-in-chief of the national guard. If it appears to the governor that the power of the county is insufficient to enable the sheriff to preserve the peace and protect the lives and property of the peaceful residents of the county or to overcome the resistance to process of this state, the governor shall, on application of the sheriff, order out such military force as is necessary. C. When any portion of the militia is called out for the purpose of suppressing an unlawful or riotous assembly, the commander of the troops shall cooperate with the civil officers to the fullest extent consistent with the accomplishment of the object for which the troops were called. The civil officials may express to the commander of the troops the general or specific objective that the civil officials desire to accomplish, but the tactical direction of the troops, the kind and extent of force to be used and the particular means to be employed to accomplish the object specified by the civil officers shall be left solely to the commander of the troops present on duty. D. When any portion of the militia is ordered into active service pursuant to this section in case of an emergency, the militia may provide those resources and services necessary to avoid or minimize economic or physical harm until a situation becomes stabilized and again under local self-support and control, including the provision, on a temporary, emergency basis, for lodging, sheltering, health care, food, any transportation or shipping necessary to protect lives or public property; or for any other action necessary to protect the public health, safety and welfare. E. In the event of the exercise by the governor of the powers under this section, the governor shall first utilize the personnel and assets of the national guard and only in their absence or insufficiency utilize the personnel and assets of the state defense force.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
New York	New York Unorganized Militia	New York Army National Guard NYSCL MIL Art. 1 § 2, 41, 42 New York Air National Guard	New York Guard NYSCL MIL Art. 1 § 2 NYSCL MIL Art. 2 § 44 NYSCL MIL Art. 8 § 165 through 170 Web site: www.dmna.state.ny.us/nyg/nyg.html	New York Naval Militia NYSCL MIL Art. 2 § 43. Web site: http://www.dmna.state.ny.us/nynm/nynavmil.html
	<p>CALL OUT FOR FEDERAL SERVICE NYSCL MIL Art. 1 § 5. Militia Call by the United States. When the militia of the state is called forth under the constitution and laws of the United States, the governor shall order out for service the organized militia or such part thereof as may be necessary, and if the number available be insufficient, the governor may call for and accept from the unorganized militia as many volunteers as are required for service in the organized militia or he may direct the members of the unorganized militia or such of them as may be necessary to be drafted into the organized militia.</p> <p>CALL OUT FOR STATE SERVICE NYSCL MIL Art. 1 § 6. Ordering Organized Militia into Active State Service. 1. The governor shall have power, in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, to order into the active service of the state for such period, to such extent and in such manner as he may deem necessary all or any part of the organized militia. Such power shall include the power to order the organized militia or any part thereof to function under the operational control of the United States army, navy or air force commander in charge of the defense of any area within the state which is invaded or attacked or is or may be threatened with invasion or attack. 2. Upon the <u>request</u> of the sheriff of a county, or in the county of Nassau the county executive or the mayor of a city, whenever it shall be made to appear to the governor that there is a breach of the peace, riot, resistance to process of this state or disaster or imminent danger thereof, the governor may order into the active service of the state, for such period, to such extent and in such manner as he may deem necessary all or any part of the organized militia. The compensation of all officers and enlisted men, while on duty or assembled pursuant to this subdivision, and all expenses incurred in connection with such duty or as a result thereof shall be paid in the manner prescribed by section two hundred twelve of this chapter.</p> <p>ORDER, AUTHORIZE, OR RECOGNIZE ORGANIZATIONS OF UNORGANIZED MILITIA: i.e. <u>The Minuteman Project</u> NYSCL MIL Art. 1 § 6-a. Organizations and Volunteers from the Unorganized Militia. To the extent permitted by the constitution of the United States, the governor may, at any time, order, authorize or recognize such organizations of the Unorganized Militia, or of designated classes thereof, or of volunteers therefrom, as he may deem to be <u>for the public interest</u>, and may prescribe therefor such parts of the <u>regulations governing the organized militia as may be applicable thereto or establish such regulations therefor, or both, as he may deem proper.</u> <u>The governor may, at any time, provide for the separate organization, or authorize the enlistment in organizations of the unorganized militia, of persons volunteering for such service, not otherwise subject to military duty under section two of this chapter.</u></p>		<p>CALL OUT OF THE UNORGANIZED MILITIA NYSCL MIL Art. 1 § 7. Draft of Unorganized Militia. 1. Whenever it shall be necessary in case of invasion, disaster, insurrection, riot, breach of the peace or imminent danger thereof or to maintain the organized militia or any force thereof at the number required for public safety or prescribed by the laws of the United States, the governor may call for and accept from the unorganized militia as many volunteers as are required for service in the organized militia or he may direct the members of the unorganized militia or such of them as may be necessary to be drafted into the organized militia or any force thereof. 2. Whenever it shall be necessary in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, the governor may direct the members of the unorganized militia or such of them as may be necessary to be drafted under such regulations as he may prescribe into the active service of the state, to serve as directed by him.</p> <p>CALL OUT BY GOVERNOR FOR OUT-OF-STATE SERVICE NYSCL MIL Art. 1 § 22. Service Without the State. The governor may order the organized militia or any part thereof to serve outside of the borders of this state or of the United States in order to perform military duty of every description and to participate in parades, reviews, cruises, conferences, encampments, maneuvers or other training, and to participate in small arms and other military competitions and to attend service schools.</p> <p>NEW YORK'S MUTUAL STATE MILITIA ASSISTANCE COMPACT NYSCL MIL Art. 1 § 22-a. Compacts for Military Aid. 1. a. With the prior or subsequent consent of the congress of the United States, the governor is authorized to enter into, amend, supplement and implement agreements or compacts with the executive authorities of other states and the Dominion of Canada and any of the provinces thereof, providing for mutual military aid, and matters incidental thereto, in case of invasion or other hostile action, disaster, insurrection, or imminent danger thereof. b. Such agreements or compacts may include but shall not be limited to provisions for joint military action against a common enemy; for the protection of bridges, tunnels, ferries, pipelines, communication facilities and other vital installations, plants and facilities; for the military support of civil defense agencies; for the fresh pursuit, by the organized militia or military forces or any part thereof of a signatory into the jurisdiction of any other signatory, of persons acting or appearing to act in the interest of any enemy government or seeking or appearing to seek to overthrow the government of the United States or of any signatory; for the powers, duties, rights, privileges and immunities of the members of the organized militia or military forces of any signatory while so engaged outside their own jurisdiction; for such other matters as are of a military nature, or incidental thereto, and which the governor may deem necessary or proper to promote the health, safety and welfare of the people of this state; for the allocation of all costs and expenses arising from the planning and operation of such agreements or compacts.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
North Carolina	North Carolina Unorganized Militia NC.Gen.Stat. § 127A-2 NC.Gen.Stat. § 127A-7 NC.Gen.Stat. § 127A-87 to -92	North Carolina Army National Guard North Carolina Air National Guard NC.Gen.Stat. § 127A-2 NC.Gen.Stat. § 127A-3	North Carolina State Defense Militia NC.Gen.Stat. § 127A-2 NC.Gen.Stat. § 127A-5 NC.Gen.Stat. § 127A-80 to -81 North Carolina Historic Military Commands NC.Gen.Stat. § 127A-6	North Carolina Naval Militia NC.Gen.Stat. § 127A-2 NC.Gen.Stat. § 127A-4 NC.Gen.Stat. § 127A-67 to -74.
	CALL OUT OF THE NORTH CAROLINA UNORGANIZED MILITIA NC.Gen.Stat. § 127A-87. Unorganized Militia Ordered out for Service. The commander in chief may at any time, in order to execute the law, secure the safety of persons and property, suppress riots or insurrections, repel invasions or provide disaster relief, in addition to the National Guard, the State Defense Militia and the Naval Militia, order out the whole or any part of the Unorganized Militia. When the militia of this State or a part thereof is called forth under the Constitution and laws of the United States, the Governor shall first order out for service the National Guard, the State Defense Militia or Naval Militia, or such thereof as may be necessary, and if the number available be insufficient, he shall then order out such a part of the Unorganized Militia as he may deem necessary. During the absence or organizations of the National Guard or Naval Militia in the service of the United States, their state designations shall not be given to new organizations. NC.Gen.Stat. § 127A-88. Manner of Ordering out Unorganized Militia. The Governor shall, when ordering out the unorganized militia, designate the number. He may order them out either by calling for volunteers or by draft. He may attach them to the several organizations of the national guard, the State defense militia or naval militia, as may be best for the service. NC.Gen.Stat. § 127A-89. Draft of Unorganized Militia. If the unorganized militia is ordered out by draft, the Governor shall designate the persons in each county to make the draft, and prescribe rules and regulations for conducting the same.		COUNTY & MUNICIPAL FUNDING OF LOCAL (UNORGANIZED & ORGANIZED) MILITIA SUPPORT YOUR LOCAL MILITIA! NC.Gen.Stat. § 127A-138. Local Appropriations; Unit Funds. (a) Every municipality and county within the State is hereby authorized and empowered to appropriate for the benefit of any unit or units of the militia such amounts of public funds from year to year as the governing body of such municipality or county may deem wise, patriotic and expedient; and is further authorized, either alone or in connection with others, to provide heat, electricity, water, telephone service and other costs of operation and maintenance of any armory. Such appropriations may be funded by the levy of property taxes pursuant to G.S. 153A-149 and 160A-209 or by the allocation of other revenues whose use is not otherwise restricted by law. (b) Any funds donated to any unit or units of the militia by local governments, civic organizations or private sources, short-term rental of their armory buildings, or funds earned through vending machine commissions and items of similar nature shall remain at the unit or units to be expended in accordance with rules and regulations prescribed by the Secretary.	
North Dakota	North Dakota Reserve Militia N.D. Cent. Code § 37-01-01(7) Definitions	North Dakota Army National Guard North Dakota Air National Guard N.D. Cent. Code § 37-02-02	North Dakota State Guard (repealed 1983) North Dakota State Defense Force N.D. Cent. Code § 37-12.1-02	None.
	CALL OUT N.D. Cent. Code § 37-01-04. Governor's Authority to Order out National Guard - Reserve Militia Ordered Out. In case of insurrection, invasion, tumult, riot, breach of the peace, or imminent danger thereof, to provide a presence at state ceremonial events, or to provide assistance to political entities in search and rescue efforts or to respond to a potential natural or environmental hazard or nuisance, the governor may order into the active service of this state any part of the national guard that the governor may deem proper. When the national guard of this state, or a part thereof, is called forth under the Constitution of the United States and the laws of the United States, the governor shall order out for service the remaining troops or such part thereof as may be necessary. If the number of available troops is insufficient, the governor shall order out such part of the reserve militia as the governor may deem necessary.		NORTH DAKOTA STATE DEFENSE FORCE (There are only 5 separate laws listed for barest meaning.) NORTH DAKOTA STATE DEFENSE FORCE 37-12.1-03. Governor to adopt rules governing a state defense force. If the governor establishes a state defense force, the governor shall adopt rules governing, among other things, the appointment of officers, enlistments, organization of units, equipment, administration, training, pay, and discipline. The rules must, to the extent practicable, conform to the rules governing the North Dakota national guard. The provisions of chapter 28-32 do not apply to the rules required by this chapter.	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Ohio	<p>Ohio Unorganized Militia Oh.Rev.Stat. § 5923.01.(D)</p>	<p>Ohio Army National Guard Ohio Air National Guard Oh.Rev.Stat. § 5919.01</p>	<p>Ohio Military Reserve (with the Ohio Naval Militia) Oh.Rev.Stat. § 5923.01.(A)(3) Oh.Rev.Stat. § 5923.01(C)</p>	<p>Ohio Naval Militia (with the Ohio Military Reserve make up Ohio's state defense force) Oh.Rev.Stat. § 5923.01(A)(2) Oh.Rev.Stat. § 5923.01(C) Oh.Rev.Stat. § 5921.01</p>
	<p>CALL OUT (?) Oh.Rev.Stat. § 5919.23. Creation of Additional Units; Drafting. The commander in chief may, upon the declaration of war, or upon the breaking out of insurrection, or upon the imminence of either, increase the Ohio national guard and the Ohio military reserve by the creation of such additional units as he deems necessary; and he may proceed in such manner as rules prescribe for the drafting into the organized militia of all such portions of the militia of the state as he deems necessary in any such emergency.</p> <p>Oh.Rev.Stat. § 5920.01. Organization and Maintenance of Ohio Military Reserve. The governor shall organize and maintain within this state on a cadre or reserve basis military forces capable of being expanded and trained to defend this state whenever the Ohio national guard, or a part thereof, is employed so as to leave this state without adequate defense. In case of an emergency proclaimed by the president, or the Congress of the United States, or the governor, or caused by enemy action or imminent danger thereof, the governor, as commander in chief, shall expand such forces as the exigency of the occasion requires. Such forces shall be organized and maintained under regulations which shall not be inconsistent with such regulations as the secretary of defense prescribes for discipline and training and shall be composed of officers commissioned and assigned, and such able-bodied citizens of the state as are accepted therein. Such forces shall be equipped with suitable uniforms not in violation of federal laws or contrary to the regulations of the secretary of defense. Such forces shall be known as the Ohio military reserve. During the period of organization on a cadre or reserve basis the commander in chief may fix lesser rates of pay for armory drill purposes or for service in encampments and maneuvers. In the event that the regulations of the department of defense are modified so as to recognize the Ohio military reserve as a part of the Ohio national guard not subject to induction into federal service, the laws pertaining to the Ohio national guard shall apply to the Ohio military reserve and it shall be known as a component of the Ohio national guard.</p>		<p>Oh.Rev.Stat. § 5923.01. Composition and Organization of State Militia; Definitions; Troop Limitation. (A) The Ohio organized militia consist of all citizens of the state who are not permanently handicapped, as handicapped is defined in section 4112.01 of the Revised Code, who are more than seventeen years, and not more than sixty-seven years, of age unless exempted as provided in section 5923.02 of the Revised Code, and who are members of one of the following: (1) The Ohio National Guard; (2) The Ohio Naval Militia; (3) The Ohio Military Reserve. (B) The Ohio National Guard, including both the Ohio Air National Guard and the Ohio Army National Guard, the Ohio Naval Militia, and the Ohio Military Reserve are known collectively as the Ohio organized militia. (C) <i>The Ohio Naval Militia and the Ohio Military Reserve are known collectively as the State Defense Forces.</i> (D) The unorganized militia consists of those citizens of the state as described in division (A) of this section who are not members of the Ohio organized militia. (E) No troops shall be maintained in time of peace other than as authorized and prescribed under the “Act of August 10, 1956,” 70A Stat. 596, 32 U.S.C.A. 101 to 716. This limitation does not affect the right of the state to the use of its organized militia within its borders in time of peace as prescribed by the laws of this state. This section does not prevent the organization and maintenance of police.</p> <p>CALL OUT § 5923.21. Proclamation to Aid Civil Authorities. (A) The Ohio organized militia may be called by the governor by proclamation to aid the civil authorities to do any of the following: (1) Execute the laws of this state; (2) Suppress insurrection; (3) Repel invasion; (4) Act in the event of a disaster, as defined in section 5502.21 of the Revised Code, within the state; (5) Promote the health, safety, and welfare of the citizens of this state. (B) <i>In all cases, the organized militia shall be called to state active duty before the unorganized militia.</i> (C) The governor’s proclamation under division (A) of this section shall specify the statutory basis of the call.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Oklahoma	Oklahoma Unorganized Militia Okla.Stat.Ann. § 44-41	Oklahoma National Guard Okla.Stat.Ann. § 44-41	Oklahoma State Guard Okla.Stat.Ann. § 44-41	None.
	<p>CALL OUT BY GOVERNOR Okla.Stat.Ann. § 44-72. Ordering into Active Service. It shall be the duty of the Governor and he is authorized and required, in case of war, invasion, insurrection, or breach of the peace or imminent danger thereof or any forcible obstructing of the execution of the laws or reasonable apprehension thereof, and at all other times he may deem necessary to order on state duty the National Guard or any part thereof. No member thereof who shall be ordered out for such duty shall be liable for civil prosecution for any act done by him in the discharge of his military duty on such occasion, and when the President of the United States shall make a call, order, or requisition for troops, the Governor shall first order into the service of the United States the organizations and arms of the service specified in said requisition.</p> <p>CALL OUT BY SHERIFF Okla.Stat.Ann. § 44-73. Local commanding officer - Order into service in emergency. In the event of insurrection, rebellion, invasion, tumult, riot, resistance to law or process or breach of the peace, occurring in the vicinity of the station of any organization or organizations of the National Guard of Oklahoma whenever the exigencies of the situation are such as to render it impossible first to communicate with the Governor or the Adjutant General, the senior commanding officer of that station, <i>upon request in writing signed by the sheriff of the county involved or officer acting in his stead</i>, stating the facts and the nature of the service desired, may order out the organization or organizations at that station, or such portion thereof as he shall deem necessary, and cause them to perform such duty as the circumstances shall require, and such commanding officers shall immediately report what he has done and all of the circumstances of the case to the Governor, and it shall be deemed that the action was taken by order of the Governor.</p>		<p>NO HOT PURSUIT FOR OKLAHOMA STATE GUARD Okla.Stat.Ann. § 44-242. Designation - Composition - Distinct from National Guard - Place of service. Such military forces shall be designated as the “Oklahoma State Guard” and shall be composed of officers commissioned or assigned, and such able-bodied male citizens of the state as shall volunteer for service therein. They shall be additional to and distinct from the National Guard organized under existing law. <i>They shall not be required to serve outside the boundaries of this state.</i></p>	
Oregon	Oregon Unorganized Militia Or.Rev.Stat. § 396.105(3)	Oregon Army National Guard Oregon Air National Guard Or.Rev.Stat. § 396.015 Or.Rev.Stat. § 399.025 Or.Rev.Stat. § 399.105(2)	Oregon State Defense Force Or.Rev.Stat. § 396.105(2) Or.Rev.Stat. § 399.035	None.
	<p>CALL OUT Or.Rev.Stat. § 396.130 Service of Organized Militia Outside State. (1) The Governor may order the organized militia or any part thereof to serve outside the borders of this state or of the United States in order to perform military duty of every description and to participate in parades, reviews, cruises, conferences, encampments, maneuvers or other training, and to participate in small arms and other military competitions and to attend service schools. (2) The provisions of this chapter and ORS chapters 398 and 399 shall apply to the members of the organized militia while serving without the state and while going to and returning from such service without the state in like manner and to the same extent as while serving within the state.</p>		<p>CALL OUT Or.Rev.Stat. § 399.065 Ordering Organized Militia into Active State Service; Martial Law. (1) The Governor shall have the power, in case of invasion, disaster, insurrection, riot, breach of the peace, or imminent danger thereof, to order into active service of the state for such period, to such extent and in such manner as the Governor may deem necessary all or any part of the organized militia. Such power shall include the power to order the organized militia or any part thereof to function under the operational control of the United States Army, Navy or Air Force commander in charge of the defense of any area within the state which is invaded or attacked or is or may be threatened with invasion or attack. (2) The Governor may order into active service of the state for such period, to such extent and such manner as the Governor may deem necessary units or individuals of the organized militia when in the judgment of the Governor the services of such units or individuals are required for the furtherance of the organization, maintenance, discipline or training of the organized militia or for ceremonial functions of the state government. (3) Whenever any portion of the organized militia is employed pursuant to this section, the Governor, if in the judgment of the Governor the maintenance of law and order will thereby be promoted, may by proclamation declare the county or city in which the troops are serving, or any specified portion thereof, to be under martial law.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Pennsylvania	NOT AVAILABLE ONLINE	NOT AVAILABLE ONLINE	NOT AVAILABLE ONLINE:	NOT AVAILABLE ONLINE
Rhode Island	<p>Rhode Island Unorganized Militia R.I.Gen.Law § 30-1-4(4) R.I.Gen.Law § 30-5-1 et seq.</p>	<p>Rhode Island National Guard R.I.Gen.Law § 30-3-1</p>	<p>Independent Chartered Military Organizations R.I.Gen.Law § 30-1-4(3) R.I.Gen.Law § 30-1-5 R.I.Gen.Law § 30-4-1 et seq.</p>	<p>Rhode Island Naval Militia R.I.Gen.Law § 30-1-4(2) Rhode Island Naval Militia Battalion manning the U.S.S. Providence is an independent chartered military organization under R.I.Gen.Law § 30-4-5</p>
	<p>CALL OUT R.I.Gen.Law § 30-2-6 Order of Militia into Service. (a) In case of martial law, war, invasion, rebellion, insurrection, riot, tumult, public calamity or catastrophe, or other emergency, or imminent danger thereof, or resistance to the laws of this state or the United States, the governor shall order into service, all or any part of the militia that he or she may deem necessary, to serve until the exigencies shall have passed. If the occasion be so sudden that the governor cannot be informed and his or her orders received and executed, the adjutant general may order into service all or any part of the militia, with like powers and authority as are herein conferred on the governor. (b) In the event of a request for assistance from the state of Rhode Island or an agency thereof, the governor may order into service all or part of the militia that he or she may deem necessary, to serve for the purposes of providing assistance and support for official state functions, or other state activities for training.</p> <p>R.I.Gen.Law § 30-2-10 Order of Militia into Service to Meet Federal Call. (a) Whenever the militia, or any part thereof, is called, ordered, or drafted under the Constitution and laws of the United States, the governor shall order for this service the national guard, the naval militia, if organized, and if the number available is insufficient he or she shall order out such other part of the militia as may be necessary. (b) Upon the termination of an emergency all persons drafted for the emergency as national guard when discharged from federal service shall resume their membership in the national guard. These persons shall continue to serve in the national guard until the dates upon which their enlistment entered into prior to the draft would have expired, if uninterrupted, under regulations to be prescribed by the governor.</p>		<p>CALL OUT - UNORGANIZED MILITIA R.I.Gen.Law § 30-5-2 Method of call to active duty. – Whenever it may be necessary to call out any portion of the unorganized militia for active duty, the governor shall direct his or her order to the mayor of any city or the president of a town council of any town, who, upon the receipt of the order, shall forthwith proceed to draft, by lot, as many of the unorganized militia in the city or town, or accept as many volunteers, as are required by the governor, and shall forthwith give personal notice by proper warrant, to the persons so drafted or volunteering, and make return of service to the governor, together with a list of the persons so drafted or accepted as volunteers.</p> <p>INDEPENDENT CHARTERED MILITARY ORGANIZATIONS R.I.Gen.Law § 30-4-1 Constitution – Age limits – Enlistment papers. – The independent chartered military organizations shall be constituted as provided, respectively, in their charters, or any amendments thereof. The members of these organizations shall be subject to no age limit other than prescribed respectively by their charters or rules made thereunder, and each active member shall be enlisted for a term of at least three (3) years. A copy of the enlistment papers shall be forwarded to the adjutant general, and shall be kept on file in his or her office. The adjutant general shall prepare a roll of all active independent chartered military organizations which shall be kept on file in his or her office.</p>	
South Carolina	<p>South Carolina Unorganized Militia S.C.Code § 25-1-60</p>	<p>South Carolina National Guard S.C.Code § 25-1-70</p>	<p>South Carolina State Guard S.C.Code § 25-3-10 et seq.</p>	None.
	<p>S.C.Code § 25-1-90. Service Within State of Military Forces from Another State. No armed military force from another state, territory or district shall be permitted to enter the State for the purpose of doing military duty therein without the permission of the Governor, unless such force is part of the United States Army or is acting under the authority of the United States Government.</p> <p>SECTION 25-3-170. Pursuit of fugitives. Any organization, unit or detachment of such force, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrections, saboteurs, enemies or enemy forces beyond the borders of this State into another state until such persons are apprehended or captured by such organization, unit or detachment or until the military or police force of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons. But such pursuit is not authorized unless such other state shall have given the authority by law for such pursuit by such force of this State. Any such persons who shall be apprehended or captured in such other state by an organization, unit or detachment of the force of this State shall without unnecessary delay be surrendered to the military or police force of the state in which they are taken or to the United States. The surrender of insurrectionists or saboteurs to the military or police force of such other state shall not constitute a waiver by this State of its rights to extradite or prosecute such insurrectionists or saboteurs for any crime committed in this State.</p>		<p>S.C.Code § 25-3-150. Service out of State. The South Carolina State Guard shall not be required to serve outside the boundaries of this State except as herein otherwise expressly provided.</p> <p>SECTION 25-3-180. Pursuit of Fugitives into this State by Out-of-state Forces. Any military force, organization, unit or detachment thereof of any other state who are fresh in pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this State until the military or police force of this State or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such insurrectionists, saboteurs, enemies or enemy forces and may arrest or capture such persons within this State while in fresh pursuit. Any such person who shall be captured or arrested by the military of such other state while in this State shall without unnecessary delay be surrendered to the military or police force of this State or to the United States, to be dealt with according to law. This section shall not be construed to make unlawful any arrests in this State which would otherwise be lawful and nothing contained in this section shall be deemed to repeal any of the provisions of the Uniform Act on the Fresh Pursuit of Criminals.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
South Dakota	South Dakota Unorganized Militia S.D.Codified Laws § 33-2-2	South Dakota National Guard S.D.Codified Laws § 33-2-2	South Dakota State Guard S.D.Codified Laws § 33-14-1	None.
	CALL OUT S.D.Codified Laws § 33-2-6. Circumstances under Which Militia May Be Put in Active Service. The militia shall be subject to perform no active military duty save and except in case of war, invasions, riots, insurrection, or disaster. In such case the Governor is hereby authorized to order out from time to time, for actual service, as many of the militia as necessity may require, and to provide for their organization in the manner prescribed in this title for the organization of the national guard. In all such cases the national guard shall first be ordered into service.		HOT PURSUIT BY SOUTH DAKOTA STATE GUARD S.D.Codified Laws § 33-14-7. Hot Pursuit of Offender Beyond State Border--conditions. Any organization, unit, or detachment of the South Dakota State Guard, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit, or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons: provided, such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.	
Tennessee	Tennessee Unorganized Militia Tn.Code. § 58-1-104(d) Tn.Code. § 58-1-301	Tennessee Army National Guard Tennessee Air National Guard Tn.Code. § 58-1-203 Tn.Code. § 58-1-204	Tennessee State Guard Tn.Code. § 58-1-104(b) Tn.Code. § 58-1-401 et seq.	Tennessee Naval Militia Tn.Code. § 58-1-104(c)
	Tn.Code. § 58-1-113. Service without the state - Offenses committed - Jurisdiction. (a) The governor may order the national guard, or any part thereof, to serve outside the borders of this state or of the United States in order to perform military duty of every description and to participate in parades, reviews, cruises, conferences, encampments, maneuvers or other training and to participate in small arms and other military competitions and to attend service schools.		58-1-301. Call to Active Service - Enrollment of Militia. The governor, with the advice and consent of the general assembly, and pursuant to the laws of the United States, shall call the militia, or any portion thereof, into active service at any time that public safety requires it. Provided, that the governor is authorized to have enrollment made of all persons of this state subject to military duty or draft into the military service, and is directed, at such time as the necessity seems imminent, to cause each county assessor to make such enrollment of the assessor's respective county, stating the name, address, age, and previous military or naval experience of all persons so enrolled, if any, and to furnish copies of such enrollment to the respective county clerk, and the adjutant general. Each county shall furnish all blank forms and bear all expenses necessary to enrollment of its citizens. The governor shall have the power, in the governor's discretion, to appoint an enrolling board of three (3) members in each county to act in lieu of the county assessor, which board shall make such enrollments as directed at the time by the governor. The governor shall have the power, and is directed, to issue, at the proper time, regulations in detail governing the entry or draft of enrolled citizens into the military service, and their assignments to units.	
39-17-314(d). Civil Disorder. (Title 39 Criminal Offenses) (1) Nothing contained in this section makes unlawful any act protected by the constitution of Tennessee, or any act of a law enforcement officer which is performed in the lawful performance of the officer's official duties. (2) Nothing contained in this section makes unlawful: (A) Any activity of a governmental military force, the Tennessee wildlife resources agency, the department of correction or any law enforcement agency; (B) Any activity intended to teach or practice self-defense or self-defense techniques, such as karate clubs or self-defense clinics, and similar lawful activity; (C) Any facility, program or lawful activity related to firearms instruction and training intended to teach the safe handling and use of firearms; or (D) Any other lawful sports or activities related to the individual recreational use or possession of firearms, including, but not limited to, hunting activities, target shooting, self-defense, firearms collection or any organized activity, including, but not limited to, any hunting club, rifle club, rifle range or shooting range which does not include a conspiracy as defined under the laws of this state, or the knowledge of or the intent to cause or further a civil disorder.		58-1-305. Transfer of Militia to National Guard. The governor, with the advice and consent of the general assembly, and in accordance with the orders of the president, may, after issuing call of the militia into active service, transfer the entire militia, or any portion thereof, to the national guard and treat it under the provisions of the National Defense Act.		
		58-1-401. Governor Authorized to Enlist State Guard. Whenever the president of the United States shall call any part of the national guard of this state into active federal service, the governor is authorized to enlist, organize, maintain, equip and discipline a volunteer defense force, other than the national guard, to be known as the Tennessee state guard.		

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Texas	<p>Texas Reserve Militia Tx Govt. Code § 431.001(1) Tx. Govt. Code § 431.071</p>	<p>Texas Army National Guard Texas Air National Guard Tx Govt. Code § 431.001(1) Tx Govt. Code § 431.041</p>	<p>Texas State Guard Tx.Stat.Govt. § 431.051.</p>	None.
	<p>Tx Govt. Code § 431.001. Definitions. In this chapter:</p> <p>(1) “Reserve militia” means the persons liable to serve, but not serving, in the state military forces. (2) “State militia” means the State Military Forces and the Reserve Militia. (3) “State military forces” means the Texas National Guard, the Texas State Guard, and any other active militia or military force organized under state law. (4) “Texas National Guard” means the Texas Army National Guard and the Texas Air National Guard.</p> <p>CALL OUT Tx Govt. Code § 431.111. Calling of Forces by Governor. (a) The governor may call all or part of the state military forces to repel or suppress an invasion of or insurrection in or threatened invasion of or insurrection in the state or if the governor considers it necessary to enforce state law. If the number of state military forces is insufficient, the governor shall call the part of the reserve militia that the governor considers necessary. (b) The governor may call all or part of the state military forces to assist civil authorities in guarding prisoners, conveying prisoners within the state, or executing law as the public interest or safety requires. (c) The governor may order a commander of a unit of the state military forces to appear at a time and place directed to suppress or prevent tumult, riot, or the actions of a group of persons acting together by force with intent to commit a breach of the peace or violence to a person or property or to otherwise violate state law.</p> <p>Tx Govt. Code § 431.112. Calling of Forces by Other Official. If military aid is immediately and urgently necessary to prevent or suppress violence under Section 431.111(c) and it is impracticable to secure the aid in time by order of the governor, the district judge of the judicial district, the sheriff of the county, or the mayor of the municipality in which the disturbance occurs may call for aid on the commanding officer of the state military forces stationed in the judicial district, county, or municipality or an adjacent judicial district, county, or municipality. The officer must make the call in writing and shall immediately notify the governor of the action.</p>			<p>HOT PURSUIT § 431.057. Use Outside the State; Fresh Pursuit from or into State. (a) Except as provided by Subsections (b) and (c), the Texas State Guard may not be required to serve outside the state. (b) The governor, on request of the governor of another state, may order all or part of the Texas State Guard to assist the military or police forces of that state that are defending that state. The governor may recall these forces. (c) If authorized by law of another state, an organization, unit, or detachment of the Texas State Guard, on order of the officer in immediate command, may continue in fresh pursuit of an insurrectionist, a saboteur, an enemy, or enemy forces into that state until the apprehension or capture of the person or forces pursued or until military or police forces of that state or the United States have had a reasonable opportunity to apprehend, capture, or take up the pursuit of the person or forces. The Texas State Guard without unnecessary delay shall surrender a person apprehended or captured in another state to the military or police forces of that state or the United States. This surrender is not a waiver by this state of a right to extradite or prosecute the person for a crime committed in this state. (d) Military forces of another state may continue a fresh pursuit into this state in the same manner permitted the Texas State Guard for a pursuit into another state under Subsection (c). The military forces of the other state shall without unnecessary delay surrender a person captured or arrested in this state to the military or police forces of this state to be dealt with according to law. This subsection does not prohibit an arrest in this state permitted by other law.</p>

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
	<p>Utah Unorganized Militia Utah Code § 39-1-2</p>	<p>Utah Army National Guard Utah Air National Guard Utah Code § 39-1-2(2)(b) Utah Code § 39-1-2(2)(c)</p>	<p>Utah State Defense Force Utah Code § 39-4-1 et seq.</p>	<p>None.</p>
Utah	<p>UTAH STATE DEFENSE FORCE 39-4-1. Governor Authorized to Organize Utah State Defense Force. (1) The governor may organize and maintain within this state, under regulations the United States may prescribe for discipline in training, military forces the governor considers necessary to defend this state. (2) These forces shall be composed of officers commissioned or assigned, and able-bodied citizens of the state who volunteer for service, supplemented if necessary by persons in the militia enrolled by draft or otherwise as provided by law. (3) These forces shall be additional to and distinct from the National Guard and shall be known as the Utah State Defense Force. These forces may be uniformed.</p> <p>HOT PURSUIT - INBOUND Utah Code § 39-4-6. Forces of Another State in Fresh Pursuit May Make Arrests. Any military forces or organization, unit or detachment thereof, of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful, and nothing contained in this section shall be deemed to repeal any of the provisions of the Uniform Act on the Fresh Pursuit of Criminals.</p>		<p>HOT PURSUIT - OUTBOUND (STATE DEFENSE FORCE) Utah Code § 39-4-5. Service outside state prohibited -- Exceptions. Such forces shall not be required to serve outside the boundaries of this state except: (a) Upon the request of the governor of another state, the governor of this state may, in his discretion, order any portion or all of such forces to assist the military or police forces of such other state who are actually engaged in defending such other state. Such forces may be recalled by the governor at his discretion. (b) Any organization, unit or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; provided, such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such persons for any crime committed in this state.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Vermont	Vermont Unorganized Militia Vt. Stat. Title 20 § 1151 (State Guard)	Vermont National Guard Vt. Stat Title 20. § 361	Vermont State Guard Vt. Stat Title 20. § 1151	None.
	<p>UNORGANIZED MILITIA CALL OUT FOR STATE GUARD DUTY Vt. Stat. Title 20 § 1151. Organization and Maintenance. Whenever any part of the National Guard of this state is in active federal service, the governor is hereby authorized to organize and maintain within this state during such period, under such regulations as the secretary of the army of the United States may prescribe for the organization, standards of training, instruction and discipline such military forces as the governor may deem necessary to defend this state. Such forces shall be composed of officers commissioned or assigned, and such able-bodied citizens of the state as shall volunteer for service therein, supplemented, if necessary, by men of the Unorganized Militia enrolled by draft or otherwise as provided by law. Such forces shall be additional to and distinct from the National Guard and shall be known as the Vermont State Guard. Such forces shall be uniformed. Such forces shall be located in places having National Guard units therefrom then in federal service and such other places as the governor may direct provided adequate personnel are available for such service.</p> <p>CALL OUT - STATE SERVICE (NATIONAL GUARD) Vt. Stat. Title 20 § 601. When and by Whom National Guard Called Out. The commander in chief or, in his absence, the lieutenant governor, or, in the absence of both, the adjutant and inspector general, in case of riot, rebellion or insurrection within the state or in case of great opposition to the service of legal process, whether civil or criminal, or in case of invasion or imminent danger thereof, or in case of disaster, or emergency proclaimed by the governor, may call out the national guard, or such parts thereof as he deems necessary, and may order such force into camp for instruction and drill. Until discharged by order of the commander in chief such force shall be subject to his order and shall be governed by the regulations prescribed for the army of the United States; and the commander in chief may order the same into camp for instruction and drill when in his judgment the interests of the state require.</p> <p>CALL OUT - FEDERAL SERVICE Vt. Stat. Title 20 § 641. When and by whom called out. Upon the requisition of the president of the United States, and in case of war or invasion, or to prevent insurrection or invasion, the commander in chief may call out from time to time, for the actual service, by draft or otherwise as many of the entire national guard as the necessity of the case requires. The enrolled national guard, when so ordered for preparation for actual service, shall be administered and trained according to the laws of this state and of the United States. On the termination of the emergency all persons discharged from the military service who were, upon draft into federal service, members of the national guard of Vermont shall resume their membership in the national guard, and shall continue to serve in the national guard until the dates upon which their enlistments prior to their draft would have expired if uninterrupted.</p>		<p>HOT PURSUIT - INBOUND - (CIVIL DEFENSE & MILITARY AID) Vt. Stat. Title 20 § 154. Pursuit by Military Forces of Another State. Any military forces or organization, unit or detachment thereof, of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful, and nothing contained in this section shall be deemed to repeal any of the provisions of the uniform act on the fresh pursuit of criminals.</p> <p>HOT PURSUIT - OUTBOUND (STATE GUARD) Vt. Stat. Title 20 § 1154. Service Outside State. Such forces should not be required to serve outside the boundaries of this state except: (1) Upon the request of the governor of another state, the governor of this state may, in his discretion, order any portion or all of such forces to assist the military or police forces of such other state who are actually engaged in defending such other state. Such forces may be recalled by the governor at his discretion. (2) Any organization, unit or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons, provided, that such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Virginia	Virginia Unorganized Militia Va.Code § 44-1 Va.Code § 44-4 Va.Code § 44-54.6	Virginia Army National Guard Virginia Air National Guard Va.Code § 44-1 Va.Code § 44-2 Web site: www.viriniaguard.com	Virginia State Defense Force Va.Code § 44-1 Va.Code § 44-54.6 Web site: www.viriniadefenseforce.org	Virginia Naval Militia Va.Code § 44-1 Va.Code § 44-3 Va.Code § 44-55 Va.Code § 54.6
	CALL OUT Va.Code § 44-80. Order in Which Classes of Militia Called into Service. The National Guard, the Virginia State Defense Force, the naval militia and the unorganized militia or any part thereof may be ordered into service by the Governor in such order as he determines. Va.Code § 44-86. When Ordered out for Service. The commander in chief may at any time, in order to execute the law, suppress riots or insurrections, or repel invasion, or aid in any form of disaster wherein the lives or property of citizens are imperiled or may be imperiled, order out the National Guard and the inactive National Guard or any parts thereof, or the whole or any part of the unorganized militia. When the militia of this Commonwealth, or a part thereof, is called forth under the Constitution and laws of the United States, the Governor shall order out for service the National Guard, or such part thereof as may be necessary; and he may likewise order out such a part of the unorganized militia as he may deem necessary. During the absence of organizations of the National Guard in the service of the United States, their state designations shall not be given to new organizations.			Va.Code § 44-6. Maintenance of Other Troops. In time of peace the Commonwealth shall maintain only such troops as may be authorized by the President of the United States; but nothing in this chapter shall be construed as limiting the rights of the Commonwealth in the use of the Virginia National Guard or Virginia State Defense Force within or without its borders in time of peace and nothing contained in this chapter shall prevent the organization and maintenance of State Police or constabulary.
Washington	Washington Unorganized Militia Wash.Rev.Code § 38.04.030	Washington National Guard Wa.Rev.Code § 38.04.010	Washington State Guard Wa.Rev.Code § 38.14.006	None.
	CALL OUT - ORGANIZED MILITIA Wash. Rev. Code § 38.08.040 Governor May Order out Organized Militia. In event of war, insurrection, rebellion, invasion, tumult, riot, mob, or organized body acting together by force with intent to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws of this state, or the United States, or in case of the imminent danger of the occurrence of any of said events, or at the lawful request of competent state or local authority in support of enforcement of controlled substance statutes, or whenever responsible civil authorities shall, for any reason, fail to preserve law and order, or protect life or property, or the governor believes that such failure is imminent, or in event of public disaster, or when otherwise required for the public health, safety, or welfare, or to perform any military duty authorized by state law, or to prepare for or recover from any of these events or the consequences thereof, the governor shall have power to order the organized militia of Washington, or any part thereof, into active service of the state to execute the laws, and to perform such duty as the governor shall deem proper.			Wa.Rev.Code § 38.04.010 General Definitions. When used in this title, the following words, terms, phrases shall have the following meaning: The word "militia" shall mean the military forces provided for in the Constitution and laws of the state of Washington. The term "organized militia" shall be the general term to include both State and National Guard and whenever used applies equally to all such organizations. The term "National Guard" shall mean that part of the military force of the state that is organized, equipped and federally recognized under the provisions of the <u>National Defense Act of the United States</u> , and, in the event the National Guard is called into federal service or in the event the State Guard or any part or individual member thereof is called into active state service by the commander-in-chief, the term shall also include the "Washington State Guard" or any temporary organization set up in times of emergency to replace either the "National Guard" or "State Guard" while in actual service of the United States. The term "State Guard" shall mean that part of the military forces of the state that is organized, equipped, and recognized under the provisions of the <u>State Defense Forces Act of the United States</u> (32 U.S.C. § 109, as amended).
CALL OUT - UNORGANIZED MILITIA Wash. Rev. Code § 38.08.050 Governor May Order out Unorganized Militia. In event of, or imminent danger of, war, insurrection, rebellion, invasion, tumult, riot, resistance to law or process or breach of the peace, if the governor shall have ordered into active service all of the available forces of the organized militia of Washington and shall consider them insufficient in number to properly accomplish the purpose, he or she may then in addition order out the Unorganized Militia or such portion thereof as he may deem necessary, and cause them to perform such military duty as the circumstances may require.				

2006 TABLE OF STATE MILITIA LAWS - EMPHASIZING STATE POWERS OF “CALL OUT” & “HOT PURSUIT” STATUTES

State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
West Virginia	West Virginia Unorganized Militia W.Va.Code § 15-5-19 (Article 5 - Emergency Services)	West Virginia Army National Guard West Virginia Air National Guard W.Va.Code § 15-1B-2 W.Va.Code § 15-1B-3	West Virginia State Guard W.Va.Code § 15-4-1	None.
	<p>CALL OUT - UNORGANIZED MILITIA UNDER “ARTICLE 5 - EMERGENCY SERVICES” W.Va.Code § 15-5-19. Unorganized Militia. (ARTICLE 5 - EMERGENCY SERVICES) The unorganized militia shall, at the call of the governor, be available for duty with the Emergency Service Forces of this State. For purposes of this article, the Unorganized Militia shall consist of all able-bodied men and women between the ages of sixteen and fifty.</p> <p>CALL OUT W.Va.Code §15-1-4. Active Service Authority of governor to require; state duty ordered by adjutant general.</p> <p style="padding-left: 20px;">a. The governor may order all or any part of the organized militia and the state guard or any other person with their consent to active service of the state and all members of the organized militia and the state guard shall be liable for such service.</p> <p style="padding-left: 20px;">b. The governor may order the organized militia or any part thereof to serve outside the borders of the state and of the United States in order to perform military duty and to participate in parades, review, conferences, encampments, maneuvers, and other training, to participate in military competitions and to attend service schools.</p> <p style="padding-left: 20px;">c. The adjutant general may order the organized militia or any part thereof or any military personnel of the national guard or any other person with his consent to state duty within or without the state and with or without compensation.</p> <p>W.Va.Code §15-1-5. Active Service -- United States. When the organized militia, or any part thereof, is called for active service of the United States under the constitution and laws of the United States, the governor shall order the same to service, and if the number available is insufficient, the governor may call for and accept as many volunteers as are required for service in the organized militia and state guard. During the absence of units and organizations of the organized militia in the service of the United States, their state designations shall not be given to new organizations, and all organizations and officers on return from such service shall be given their former standing and rank</p> <p><i>NOTE: West Virginia strangely does not include the Unorganized Militia in Article 1 - Military Forces of the State; Article 1A - Adjutant General; Article 1B - National Guard; and in Article 1D - Active State Service. It is as though the West Virginia Unorganized Militia has no role in the Common Defense under the Militia Clauses of the U.S. Constitution or under the Second Amendment. The only role for the Unorganized Militia is relegated to assisting West Virginia “Emergency Services” under Article 5. Could West Virginia be violating the Tenth Amendment here?</i></p>		<p>CALL OUT - NATIONAL GUARD FOR STATE SERVICE W.Va.Code § 15-1D-1. Calling out National Guard by Governor. In event of war, insurrection, rebellion, invasion, tumult, riot, mob or body of men acting together by force with intent to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws of this state or the United States, or in case of the imminent danger of the occurrence of any of said events, or in event of public disaster or emergency, the governor shall have power to order the West Virginia National Guard, or any part thereof, into the active service of the state, and to cause them to perform such duty as he shall deem proper</p> <p>HOT PURSUIT - OUTBOUND - STATE GUARD W.Va.Code § 15-4-5. Service Limited to State, Except as to Fresh Pursuit; Apprehension of Persons in Another State. Such forces shall not be required to serve outside the boundaries of this state. Except that any organization, unit or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or apprehend or capture such persons: Provided, That such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit or detachment of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p> <p>HOT PURSUIT - INBOUND - OTHER STATE §15-4-6. Pursuit and apprehension of certain persons in this state by military forces of another state. Any military forces or organization, unit or detachment thereof, of another state, who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person who shall be captured or arrested by the military forces of such other state while in this state shall, without unnecessary delay, be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful, and nothing contained in this section shall be deemed to repeal any of the provisions of the uniform act on the fresh pursuit of criminals.</p>	

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Wisconsin	<p><i>NOTE: The Unorganized Militia is not included in the Wisconsin Statutes, Chapter 21 - Department of Military Affairs. The term "Organized Militia" is mentioned only once in Chapter 21.01(1) "Composition of the National Guard."</i></p> <p><u>Wisconsin Constitution, SECTION 29. MILITIA provides that "The legislature shall determine what persons shall constitute the militia of the state, and may provide for organizing and disciplining the same in such manner as shall be prescribed by law."</u></p> <p>Apparently the Wisconsin Legislature has provided nothing for the "Unorganized Militia."</p>	<p>Wisconsin Army National Guard Wisconsin Air National Guard Wi.Stat. § 21.01(2)</p>	<p>Wisconsin State Defense Force Wi.Stat. § 21.025(1)</p>	<p>None.</p>
	<p>CALL OUT - BY GOVERNOR, OR BY CERTAIN OTHERS Wis. Stat. § 21.11 Call to active service. (1) In case of war, insurrection, rebellion, riot, invasion or resistance to the execution of the laws of this State or of the United States; in the event of public disaster resulting from flood, conflagration or tornado; in order to assess damage or potential damage and to recommend responsive action as a result of natural or man-made events; or upon application of any marshal of the United States, the president of any village, the mayor of any city, the chairperson of any town board, or any sheriff in this state, the Governor may order into active service all or any portion of the National Guard. If the governor is absent, or cannot be immediately communicated with, any such civil officer may, if the officer deems the occasion so urgent, make such application, which shall be in writing, to the commanding officers of any company, battalion or regiment, who may upon approval of the adjutant general, if the danger is great and imminent, order out that officer's command to the aid of such civil officer. Such order shall be delivered to the commanding officer, who shall immediately communicate the order to each, and every subordinate officer, and every company commander receiving the same shall immediately communicate the substance thereof to each member of the company, or if any such member cannot be found, a notice in writing containing the substance of such order shall be left at the last and usual place of residence of such member with some person of suitable age and discretion, to whom its contents shall be explained.</p> <p>STATE DEFENSE FORCE - AVIATION UNIT Wi.Stat. § 21.025(2) (b) The governor may form an Aviation Unit of the State Defense Force and formulate the rules and regulations therefor and prescribe the duties thereof consistent with the functions of the state defense force.</p>	<p>HOT PURSUIT - OUTBOUND Wis. Stat. § 21.025(4) Use Without this State. Such forces shall not be required to serve outside the boundaries of this state except: (a) Upon the request of the governor of another state, the governor of this state may order any portion or all of such forces to assist the military or police forces of such other state who are actually engaged in defending such other state. Such forces may be recalled by the governor at the governor's discretion. (b) Any organization, unit, or detachment of such forces, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit, or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons, provided such other state shall have given authority by law for such pursuit by such forces of this state. Any such person who shall be apprehended or captured in such other state by an organization, unit, or detachment of the forces of this state shall without unnecessary delay be surrendered to the military or police forces of the state in which the person is taken or to the United States, but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.</p> <p>HOT PURSUIT - INBOUND Wis. Stat. § 21.025(5) Permission to Forces of Other States. (a) Any military forces or organization, unit, or detachment thereof, of another state who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces may continue such pursuit into this state until the military or police forces of this state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons, and such military forces of such other state may arrest or capture such persons within this state while in fresh pursuit. (b) Any such person who shall be captured or arrested by the military forces of such other state while in this state shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law.</p>		

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State	Unorganized Militia	Organized Militia	State Guard or State Defense Force	Naval Militia (Organized Militia)
Wyoming	Wyoming Unorganized Militia Wyo. Stat. § 19-8-101	Wyoming Army National Guard Wyoming Air National Guard Wyo. Stat. § 19-7-102 Wyo. Stat. § 19-8-101(b)(l) Wyo. Stat. § 19-9-101	Wyoming State Guard Wyo. Stat. § 19-8-101(b)(ii) Wy.Stat. § 19-10-101	None.
	Wyo. Stat. § 19-10-104. Guard Not Required to Serve Outside State; Exceptions. (a) The Wyoming state guard is not required to serve outside the boundaries of this state except: (i) Upon request of the governor of another state, the governor of this state may order any portion of the force to assist the military or police forces of the other state which are actually engaged in the defense of the other state. The forces may be recalled at the discretion of the governor of Wyoming; (ii) As provided by W.S. 19-8-103(b); or (iii) As ordered by the governor of this state in accordance with the provisions of the Emergency Management Assistance Compact. (b) No provision relative to the Wyoming state guard shall be construed as authorizing those forces, or any part thereof, to be called, ordered or in any way drafted into the military service of the United States, but no person is exempt from military service under the laws of the United States by reason of enlistment or commission in the Wyoming state guard.		HOT PURSUIT - INBOUND BY ANY MILITARY FORCES & OUTBOUND BY WYOMING MILITIA 19-8-103. Pursuit of insurrectionists. (a) Any military forces of another state which are in fresh pursuit of insurrectionists, saboteurs or enemy groups may continue pursuit into this state until the military or police forces of this state have had reasonable opportunity to take up the pursuit and may arrest or capture such persons within this state while in fresh pursuit. (b) Members of the Wyoming Militia, upon orders of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs or enemy groups beyond the borders of this state into another state until the military or police forces of the other state have had a reasonable opportunity to take up the pursuit of such persons if the other state has authorized the pursuit by the forces of this state. Persons who are captured in another state by members of forces of this state shall be surrendered to the military or police forces of the state in which they are taken without undue delay.	