

SENATE BILL 107

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6lr0061

(PRE-FILED)

By: Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Military)

Requested: September 29, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 10, 2016

Returned to second reading: February 16, 2016

Senate action: Adopted with floor amendments

Read second time: February 16, 2016

CHAPTER _____

1 AN ACT concerning

2 Military Department - Summary Courts-Martial - Penalties

3 FOR the purpose of authorizing a summary court-martial to impose a sentence of
4 confinement for a certain period of time without regard to rank; ~~authorizing a~~
5 ~~summary court martial to discharge with a characterization of service no less~~
6 ~~favorable than under other than honorable conditions;~~ and generally relating to
7 summary courts-martial.

8 BY repealing and reenacting, with amendments,
9 Article - Public Safety
10 Section 13-812(c)
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article - Public Safety
15 Section 13-812(d)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Public Safety**

4 13–812.

5 (c) A summary court–martial may impose a sentence that includes:

6 (1) a fine of not more than the member’s pay and allowances for four unit
7 training assemblies;

8 (2) a forfeiture of up to two–thirds of the member’s pay and allowances for
9 up to four unit training assemblies;

10 (3) reduction in rank in the following manner:

11 (i) for enlisted personnel in the grade of E5 and above, to the next
12 inferior pay grade; or

13 (ii) for enlisted personnel in the grade of E4 and below, to the lowest
14 enlisted grade; ~~for~~

15 (4) [for members in the rank of E4 and below only,] confinement for a
16 period not to exceed 30 days; ~~OR~~

17 ~~(5) DISCHARGE WITH A CHARACTERIZATION OF SERVICE NO LESS~~
18 ~~FAVORABLE THAN UNDER OTHER THAN HONORABLE CONDITIONS.~~

19 (d) A sentence of dismissal from the service or dishonorable discharge imposed by
20 a court–martial may not be executed until approved by the Governor.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2016.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.