

SENATE BILL 107

D3

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

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)

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

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.



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Article – Public Safety

2 13–812.

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

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

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

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

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

11 (ii) for enlisted personnel in the grade of E4 and below, to the lowest
12 enlisted grade; [or]

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

15 (5) DISCHARGE WITH A CHARACTERIZATION OF SERVICE NO LESS
16 FAVORABLE THAN UNDER OTHER THAN HONORABLE CONDITIONS.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.