

CHAPTER 572

(House Bill 421)

AN ACT concerning

Military Department - Military Courts

FOR the purpose of providing for military judges on certain military courts; authorizing certain military courts to require the assistance of certain law-enforcement personnel to execute process and to provide for the execution of sentences of imprisonment imposed by military courts; and generally relating to military courts of the organized militia.

BY repealing and reenacting, with amendments,

Article 65 - Militia
Section 44
Annotated Code of Maryland
(1979 Replacement Volume and 1982 Supplement)

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

Article 65 - Militia

44.

All courts-martial of the organized militia, not in the service of the United States, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed; provided, that such sentences of confinement shall not exceed one day for each dollar of fine authorized.

No sentence of dismissal from the service or dishonorable discharge, imposed by a court-martial, not in the service of the United States, shall be executed until approved by the Governor.

In the organized militia, not in the service of the United States, THE MILITARY JUDGE WHENEVER ONE SITS ON A MILITARY COURT, AND OTHERWISE presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas and subpoenas duces tecum, and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts.