

Also in subsection (a) of this section, the reference to "State active duty" is substituted for the former reference to "active service of the State". See General Revisor's Note to title.

In subsection (b)(2) of this section, the former reference to giving the "special matter in" evidence is deleted as implicit in the reference to giving "evidence".

In subsection (b)(3) of this section, the reference to the "case [being] dismissed" is substituted for the former reference to the "plaintiff [being] nonsuited" to conform with current terminology.

Defined terms: "Person" § 1-101
"State active duty" § 13-101

SUBTITLE 8. COURTS-MARTIAL.

13-801. SCOPE OF SUBTITLE.

THIS SUBTITLE APPLIES TO A COURT-MARTIAL OF THE ORGANIZED MILITIA NOT IN THE SERVICE OF THE UNITED STATES.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of the second, third, and fourth paragraphs of former Art. 65, § 43 and the first sentence of the third paragraph of § 44, as they each related to the limitation of courts-martial to the organized militia not in the service of the United States.

13-802. IN GENERAL.

(A) TYPES OF COURTS-MARTIAL.

THERE ARE THREE TYPES OF COURTS-MARTIAL:

- (1) A GENERAL COURT-MARTIAL;
- (2) A SPECIAL COURT-MARTIAL; AND
- (3) A SUMMARY COURT-MARTIAL.

(B) JURISDICTION; POWERS; PROCEDURES; COMPOSITION.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A COURT-MARTIAL SHALL BE CONSISTENT WITH A SIMILAR COURT PROVIDED FOR BY THE LAWS AND REGULATIONS GOVERNING THE UNITED STATES ARMY OR AIR FORCE REGARDING:

- (I) JURISDICTION;
- (II) POWERS, WITH THE EXCEPTION OF PUNISHMENT;
- (III) PROCEDURES; AND
- (IV) COMPOSITION.