

substituted for the former phrase "previous reference" for clarity.

In subsection (c)(1) of this section, the reference to a "member of a force" is substituted for the former reference to "[t]he force" for clarity.

Also in subsection (c)(1) of this section, the reference to this "title" is substituted for the former reference to this "article" to reflect that former Article 65 is revised in this title. Correspondingly, in subsection (c)(2) and (d)(1) of this section, the references to this "subtitle" are substituted for the former references to this "article" to reflect that the provisions of former Article 65 concerning courts-martial and penalties are revised in this subtitle, *see* § 13-812 of this subtitle.

Also in subsection (c)(1) of this section, the former phrase, "prescribed for the government thereof", is deleted as implicit in the reference to "laws, orders, and regulations".

In subsection (c)(2) of this section, the reference to a "violation of a military law" is substituted for the former reference to "military offenses" for clarity.

Also in subsection (c)(2) of this section, the former reference to offenses against the "general police regulations" of the State is deleted as included in the reference to an offense against "the State".

Also in subsection (c)(2) of this section, the former reference to an offense punishable "by fine or imprisonment" is deleted as surplusage.

In subsection (d)(1) of this section, the reference to the presumption "be[ing] correct" is added for clarity.

Also in subsection (d)(1) of this section, the reference to a "court-martial" is substituted for the former reference to "said courts or boards" for clarity.

In subsection (d)(2) of this section, the reference to a person "alleging lack of jurisdiction" is substituted for the former reference to a person "seeking to oust such courts or boards of jurisdiction" for clarity.

Defined term: "Person" § 1-101

#### 13-803. OFFENSES SUBJECT TO A COURT-MARTIAL.

##### (A) COMMISSIONED OFFICERS.

(1) THIS SUBSECTION DOES NOT APPLY TO A COMMISSIONED OFFICER ON DUTY DURING A WAR, INSURRECTION, INVASION, OR PUBLIC DANGER OR ON DUTY TO AID CIVIL AUTHORITIES ON ACCOUNT OF ANY BREACH OF PEACE, TUMULT, RIOT, RESISTANCE TO POWER OF THE STATE, OR IMMINENT DANGER OF ANY OF THESE OR ANY CASES NOT OTHERWISE COVERED.

(2) A COMMISSIONED OFFICER MAY BE TRIED BY A COURT-MARTIAL FOR: