

AN ENLISTED INDIVIDUAL MAY BE TRIED BY A COURT-MARTIAL FOR:

- (1) DISOBEDIENCE OF ORDERS;
- (2) DISRESPECT TO SUPERIOR;
- (3) MUTINY;
- (4) DESERTION;
- (5) NEGLIGENCE OF DUTY;
- (6) DRUNKENNESS ON DUTY;
- (7) CONDUCT PREJUDICIAL TO GOOD ORDER AND MILITARY DISCIPLINE;
- (8) AN ACT CONTRARY TO THIS TITLE OR TO ORDERS AND REGULATIONS THAT GOVERN THE MILITIA;
- (9) WITHOUT PROPER EXCUSE, ABSENCE FROM OR TARDINESS IN ATTENDING A DRILL, PARADE, ENCAMPMENT, OR OTHER DUTY ORDERED BY COMPETENT AUTHORITY;
- (10) NEGLECTING TO TAKE PROPER CARE OF OR WILLFULLY DAMAGING OR DESTROYING ARMS, UNIFORMS, EQUIPMENT, OR MILITARY PROPERTY; OR
- (11) FRAUDULENT ENLISTMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 65, § 47(a) and (b).

Throughout this section, the term enlisted "individual" is substituted for the former term enlisted "men". See General Revisor's Note to title.

In subsection (a)(1) of this section, the phrase "[t]his subsection does not apply to" is substituted for the former phrase "[e]xcept when" to conform with other similar provisions of the Code and to clarify the circumstances under which the commissioned officers may not be tried for specified offenses.

In subsection (a)(2)(i) of this section, the former reference to "meeting for instruction" is deleted as included in the reference to "duty".

In subsections (a)(2)(v) and (b)(8) of this section, the references to "this title" are substituted for the former references to "the militia law of the State" to reflect that the militia law of the State is revised in this title.

Also in subsections (a)(2)(v) and (b)(8) of this section, the references to regulations that "govern" the militia are substituted for former references to regulations "prescribed for the government of or issued for the government of" the militia for brevity.

In subsection (a)(2)(vi) of this section, the reference to an individual "entitled to a discharge" is substituted for the former reference to an