

AN ENLISTED INDIVIDUAL CONVICTED OF AN OFFENSE LISTED IN § 13-803 OF THIS SUBTITLE IS SUBJECT TO A FINE NOT EXCEEDING \$100.

(E) DISMISSAL OR DISHONORABLE DISCHARGE.

A SENTENCE OF DISMISSAL FROM THE SERVICE OR DISHONORABLE DISCHARGE IMPOSED BY A COURT-MARTIAL MAY NOT BE EXECUTED UNTIL APPROVED BY THE GOVERNOR.

REVISOR'S NOTE: This section is new language derived without substantive change from the fourth, sixth, and seventh sentences of former Art. 65, § 43, the first and second sentences of § 44, the first and second sentences of § 48, as each of those sentences related to the penalties that may be imposed by court-martial.

In the introductory language of subsections (a) and (c) of this section, the former references to courts-martial "of the organized militia" are deleted in light of § 13-801 of this subtitle.

In the introductory language of subsection (a) of this section, the reference to "[a] general court-martial ... impos[ing] one or more of the following penalties" is substituted for the former reference to the authority to combine "any two or more of such punishments ... in the sentences imposed by such courts" for brevity.

In subsection (a)(1) of this section, the phrase "except as provided in subsection (d) of this section" is added to provide a cross-reference to a limitation on a fine for an enlisted individual.

In subsections (a)(6) and (c)(4) of this section, the former references to fines "authorized to be imposed" are deleted as surplusage.

In subsection (b)(1) of this section, the reference to the authority to "impose the penalties listed in subsection (a) of this section" is substituted for the former reference to having the "same powers of punishment as do general courts-martial" for clarity.

In subsection (c) of this section, the former phrase "when satisfied of the guilt of such soldier" is deleted as unnecessary and implicit in the power to impose a penalty.

In subsection (d) of this section, the term enlisted "individual" is substituted for the former phrase enlisted "man of the organized militia". See General Revisor's Note to title.

13-813. SENTENCING.

(A) IMPOSITION OF SENTENCE.

(1) AFTER IMPOSING A SENTENCE OF IMPRISONMENT AND ON APPROVAL OF THE FINDINGS AND SENTENCE OF THE COURT BY THE OFFICER APPOINTING THE COURT, THE INDIVIDUAL PRESIDING OVER A COURT-MARTIAL SHALL MAKE OUT AND SIGN A CERTIFICATE ENTITLING THE CASE THAT INCLUDES: