

1 ENGROSSED HOUSE  
2 BILL NO. 1556

By: Jordan of the House

and

Ivester of the Senate

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7 An Act relating to military law; amending Sections 6,  
8 118, 123, 132 and 133, Chapter 86, O.S.L. 2007 (44  
9 O.S. Supp. 2010, Sections 3205, 3361, 3366, 3375 and  
10 3376), which relate to the Uniform State Code of  
11 Military Justice; specifying applicability of code  
12 provisions; establishing elements of destruction of  
13 public record offense; providing for punishment;  
14 establishing elements of reckless endangerment  
15 offense and punishment; providing for punishment of  
16 adultery offense; establishing elements of certain  
17 counterfeiting offense and punishment; and providing  
18 an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY Section 6, Chapter 86, O.S.L. 2007  
21 (44 O.S. Supp. 2010, Section 3205), is amended to read as follows:

22 Section 3205. A. ~~This code~~ The Uniform State Code of Military  
23 Justice has applicability at all times and in all places, provided  
24 that the person subject to the code is in a duty status. ~~However,~~  
~~this grant~~ For those offenses set forth in Section 3368 of this  
title, the Uniform State Code of Military Justice has applicability  
at all times and in all places regardless of duty status. Provided,

1 however, these grants of military jurisdiction shall neither  
2 preclude nor limit civilian jurisdiction over an offense, which is  
3 limited only by the prohibition of double jeopardy.

4 B. Courts-martial and courts of inquiry may be convened and  
5 held in units of the state military forces while those units are  
6 serving outside the state with the same jurisdiction and powers as  
7 to persons subject to ~~this code~~ the Uniform State Code of Military  
8 Justice as if the proceedings were held inside the state, and  
9 offenses committed outside the state may be tried and punished  
10 either inside or outside the state.

11 SECTION 2. AMENDATORY Section 118, Chapter 86, O.S.L.  
12 2007 (44 O.S. Supp. 2010, Section 3361), is amended to read as  
13 follows:

14 Section 3361. ~~RESERVED~~ Any person subject to the Uniform State  
15 Code of Military Justice who willfully and unlawfully alters,  
16 conceals, removes, mutilates, obliterates, destroys, or takes with  
17 the intent to alter, conceal, remove, mutilate, obliterate, or  
18 destroy, a certain public record, and whose conduct, under the  
19 circumstances, was to the prejudice of good order and discipline in  
20 the armed forces or was of a nature to bring discredit upon the  
21 armed forces, shall be punished as a court-martial may direct.

22 SECTION 3. AMENDATORY Section 123, Chapter 86, O.S.L.  
23 2007 (44 O.S. Supp. 2010, Section 3366), is amended to read as  
24 follows:

1       Section 3366. ~~RESERVED~~ Any person subject to the Uniform State  
2 Code of Military Justice who engages in wrongful and reckless or  
3 wanton conduct likely to produce death or grievous bodily harm, and  
4 whose conduct, under the circumstances, was to the prejudice of good  
5 order and discipline in the armed forces or was of a nature to bring  
6 discredit upon the armed forces, shall be punished as a court-  
7 martial may direct.

8       SECTION 4.       AMENDATORY       Section 132, Chapter 86, O.S.L.  
9 2007 (44 O.S. Supp. 2010, Section 3375), is amended to read as  
10 follows:

11       Section 3375. Any person subject to ~~this code~~ the Uniform State  
12 Code of Military Justice who:

13       1. Commits an act of sexual intercourse with another person;  
14 and

15       2. At the time of intercourse the person subject to ~~this code~~  
16 the Uniform State Code of Military Justice was married to someone  
17 else; and

18       3. Under the circumstances, the conduct of the person subject  
19 to this code was to the prejudice of good order and discipline in  
20 the state militia or was of a nature to bring discredit upon the  
21 state militia,  
22 shall be punished as a court-martial may direct.

1 SECTION 5. AMENDATORY Section 133, Chapter 86, O.S.L.  
2 2007 (44 O.S. Supp. 2010, Section 3376), is amended to read as  
3 follows:

4 Section 3376. ~~RESERVED~~ Any person subject to the Uniform State  
5 Code of Military Justice who:

6 1. Wrongfully makes, alters, counterfeits, or tampers with a  
7 military or official pass, permit, discharge certificate, or  
8 identification;

9 2. Wrongfully sells, gifts, lends or disposes of a military or  
10 official pass, permit, discharge certificate, or identification  
11 card; or

12 3. Wrongfully uses or possesses a false or unauthorized  
13 military or official pass, permit, discharge certificate, or  
14 identification card,

15 shall be punished as a court-martial may direct.

16 SECTION 6. This act shall become effective November 1, 2011.  
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1 Passed the House of Representatives the 17th day of March, 2011.

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4 Presiding Officer of the House of  
Representatives  
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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

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9 Presiding Officer of the Senate  
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