

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE BILL 1556

By: Jordan

7 AS INTRODUCED

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

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

21 SECTION 1. AMENDATORY Section 6, Chapter 86, O.S.L. 2007
22 (44 O.S. Supp. 2010, Section 3205), is amended to read as follows:

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

1 title, the Uniform State Code of Military Justice has applicability
2 at all times and in all places regardless of duty status. Provided,
3 however, these grants of military jurisdiction shall neither
4 preclude nor limit civilian jurisdiction over an offense, which is
5 limited only by the prohibition of double jeopardy.

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

13 SECTION 2. AMENDATORY Section 118, Chapter 86, O.S.L.
14 2007 (44 O.S. Supp. 2010, Section 3361), is amended to read as
15 follows:

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

1 SECTION 3. AMENDATORY Section 123, Chapter 86, O.S.L.
2 2007 (44 O.S. Supp. 2010, Section 3366), is amended to read as
3 follows:

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

11 SECTION 4. AMENDATORY Section 132, Chapter 86, O.S.L.
12 2007 (44 O.S. Supp. 2010, Section 3375), is amended to read as
13 follows:

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

16 1. Commits an act of sexual intercourse with another person;
17 and

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

21 3. Under the circumstances, the conduct of the person subject
22 to this code was to the prejudice of good order and discipline in
23

1 the state militia or was of a nature to bring discredit upon the
2 state militia,
3 shall be punished as a court-martial may direct.

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

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

9 1. Wrongfully makes, alters, counterfeits, or tampers with a
10 military or official pass, permit, discharge certificate, or
11 identification;

12 2. Wrongfully sells, gifts, lends or disposes of a military or
13 official pass, permit, discharge certificate, or identification
14 card; or

15 3. Wrongfully uses or possesses a false or unauthorized
16 military or official pass, permit, discharge certificate, or
17 identification card,

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

19 SECTION 6. This act shall become effective November 1, 2011.

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21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-22-2011 - DO
22 PASS.

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