

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB2362
Version:	FloorAmendment1
Request Number:	
Author:	Rep. Kannady
Date:	3/6/2019
Impact:	no change to committee sub. impact

Research Analysis

The floor amendment to HB2362 relates to non-judicial punishment of commanding officers, trial and defense counsel detailing, and the Military Court of Appeals vacancies.

Relating to non-judicial punishment of commanding officers:

- Requires commanders to provide reasonable notice of non-judicial punishment
- Allows members to examine all evidence used as basis of punishment
- Allows member to seek legal advice, not representation, during non-judicial punishment
- Maintains that a member possesses right to demand trial by court-martial only in instances of punishment by quarters arrest or restriction.

Relating to trial and defense counsel detailing:

- Allows for reimbursement of defense counsel from National Guard organizations not from Oklahoma. Reimbursement funds will be made from the Military Justice Fund.

Relating to the Military Court of Appeals vacancies:

- Allows for nominated appellate military judge appointed during the interim (Legislature not in regular session) to serve without Senate approval. However, the appellate military judge must receive Senate approval during the first regular session following the nomination.

Prepared By: Anna Rouw

Fiscal Analysis

HB 2362 authorizes certain costs arising from military defense counsel to be paid from the Military Justice Fund. The Military Justice Fund currently exists for the purpose of expenses related to the prosecution and administration of military justice. The Fund is a non-appropriated fund. For this reason HB 2362 is not expected to impact the state budget or revenues.

Prepared By: John McPhetridge

Other Considerations

None.