

**BILL SUMMARY**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2362</b>
<b>Version:</b>	<b>SAHB</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Kannady</b>
<b>Date:</b>	<b>5/8/2019</b>
<b>Impact:</b>	<b>Military Department: Budget Neutral</b>

**Research Analysis**

The senate amendments to HB 2362 requires military publications to be published and archived by the Secretary of State. Directs the Secretary of State and Adjutant General to establish method of publishing and archiving military publications. Directs Secretary of State to print in bound format military publications biennially. Modifies effective date.

HB 2362 repeals and replaces current military justice code and creates the Oklahoma Uniform Code, bringing Oklahoma statute in closer alignment with federal law. The measure also modifies current military justice code. In summary, HB2362 relates to:

1. The Military Department:
2. Code of Military Justice:
  - a. Repeal and replaces the Oklahoma Code of Military Justice.
  - b. This measure governs all members of state military forces not in active federal service and is the primary unit for establishes punitive measures that can be used in maintaining good order and discipline for the members. The bill also provides a legal structure and framework for enforcing those measures.
3. Employment Discrimination against enlisted members:
  - a. Expands discrimination protection to enlisted members of Civil Air Patrol and certain military judges.
4. Authorizing use of state military forces to protect assets vital to national security.
5. Oklahoma State Guard Act
  - a. Clarifies language and makes members of the Oklahoma State Guard part of the state military forces as defined in Oklahoma Code of Military Justice.
6. Crimes and Punishment
  - a. Clarifying/updating language of penal code (Title 21).
7. Administrative Procedure Act

Prepared By: Anna Rouw

**Fiscal Analysis**

HB 2362 in its current form replaces portions of the Oklahoma Military Code with the Uniform Code of Military Justice. Officials from the Military Department have previously communicated that the change will result in implementation of different processes; however, the change is not expected to result in any material increase or decrease in budgetary resource consumption within the Department. For this reason HB 2362 in its current form is expected to be budget neutral to the Military Department, and have no direct fiscal impact on the state budget or revenues.

Prepared By: John McPhetridge

### **Other Considerations**

None.

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