

192A.111 MAXIMUM LIMITS.

Subdivision 1. **Punishment limits.** The punishment for a violation of this code is limited to the lesser of the sentence prescribed by the manual for courts-martial of the United States in effect at the time of the offense or the state manual for courts-martial, but in no instance shall any punishment exceed that authorized by this code. A court-martial sentence must not (1) exceed more than ten years for a military offense, or (2) adjudge a sentence of death.

Subd. 2. **Level of offense.** (a) A conviction by general court-martial of any military offense for which an accused may receive a sentence of confinement for more than 364 days is a felony offense. All other military offenses are misdemeanors.

(b) In cases where the civilian authorities decline to prosecute and court-martial jurisdiction is taken pursuant to sections 192A.02, subdivision 3, and 192A.605, the level of offense and punishment that a court-martial is authorized is defined by the level of offense and punishments authorized under any Minnesota state law or the manual for courts-martial of the United States for the assimilated crime.

(c) For crimes under sections 192A.54, 192A.545, 192A.59, and 192A.595 with monetary loss of less than \$1,000, confinement shall be limited to that prescribed by a special court-martial.

(d) Any conviction by a summary courts-martial is not a criminal conviction.

History: 1963 c 661 s 192A.30; 2002 c 308 s 70; 2013 c 78 s 8; 2022 c 89 art 6 s 2; 2023 c 52 art 6 s 16