

STATEMENT OF PURPOSE

RS26662C1

This legislation seeks to amend and update Chapter 10, Title 46, Militia and Military Affairs, Idaho Code of Military Justice (ICMJ), to align the ICMJ with the Uniform Code of Military Justice, which was revised by the federal Military Justice Act of 2016. Generally, the revisions seek to: 1. Avoid duplication of processes and procedures where local law enforcement (LLE) can satisfy adjudication of offenses and align the ICMJ with the civilian code where practicable; 2. Establish consistency across cases to produce more uniform application of the law; enhance continuity of legal processes when transitioning from state to federal status; retain uniquely military processes for uniquely military offenses; and apply these changes to Army National Guard, Air National Guard, and militia upon activation; 3. Implement key changes that include: 1) modernize the criminal code to add offenses like computer crimes, workplace retaliation, revenge porn, and credit card fraud; 2) update definitions of processes regarding courts martial panel composition; and 3) eliminate offenses where LLE would prosecute the crime: e.g., driving under the influence.

FISCAL NOTE

There is no fiscal impact. All actions arising from the ICMJ are funded by federal training funds. No State of Idaho funds are projected to be needed for ICMJ actions.

Contact:

Major Stephen Stokes, Military Division
(208) 272-3573

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).