

**39-6-99 Aggravated arson -- Arson.**

A person subject to this chapter who willfully and maliciously burns or sets on fire:

- (1) an inhabitable dwelling, or any other structure, movable or immovable, and the person knows or has reason to know that at the time there is a human being within, is guilty of aggravated arson and shall be punished as a military court directs; and
- (2) the property of another except under Subsection (1), is guilty of arson and shall be punished as a military court directs.

Enacted by Chapter 210, 1988 General Session