

39-6-3 Persons subject to chapter.

(1) The following persons are subject to this chapter:

- (a) all members of the National Guard, including full-time members serving under Title 32, United States Code;
- (b) all other persons lawfully ordered to duty in or with the National Guard or the unorganized militia, from the dates they are required by the terms of the order or other directive;

(2)

- (a) If there is a military activation by the federal government, all activated persons who would otherwise be under the jurisdiction of this chapter are subject to concurrent jurisdiction under federal and state law.
- (b) Persons under this subsection may be tried for offenses occurring during activation and after release from federal service, while within the period of an applicable statute of limitations.

Enacted by Chapter 210, 1988 General Session