

39-6-5 Application of chapter to persons in and without state -- Military courts held without the state.

- (1) This chapter applies to all persons:
 - (a) subject to this chapter within the state; and
 - (b) otherwise subject to this chapter while serving outside the state, and while going to and returning from the service outside the state, as if they were serving inside the state.
- (2) Military courts may be convened and held in units of the National Guard while those units are serving without the state, with the same jurisdiction and powers as to persons subject to this chapter as if the proceedings were held within the state. Offenses committed without the state may be tried and punished either within or without the state, as military necessity dictates.

Enacted by Chapter 210, 1988 General Session