

1 SENATE BILL NO. 24

2 INTRODUCED BY MCNUTT

3 BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ADOPTING THE MOST RECENT VERSION OF FEDERAL LAWS,
6 REGULATIONS, FORMS, PRECEDENTS, AND USAGES, INCLUDING THE UNIFORM CODE OF MILITARY
7 JUSTICE, FOR USE BY THE STATE MILITARY FORCES; AND AMENDING SECTION 10-1-104, MCA."
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10

11 **Section 1.** Section 10-1-104, MCA, is amended to read:

12 **"10-1-104. Federal regulations to govern.** (1) Federal laws and regulations, forms, precedents,
13 and usages relating to and governing the armed forces of the United States and the militia, as in effect on
14 October 1, ~~1995~~ 1997, insofar as they are applicable and not inconsistent with the constitution of this
15 state, apply to and govern the military forces of this state, including all members of the national guard on
16 active duty within the state as active duty guard/reserve (AGR) personnel under Title 32 of the United
17 States Code.

18 (2) The Uniform Code of Military Justice, as in effect on October 1, ~~1995~~ 1997, including the
19 regulations, manuals, forms, precedents and usages implementing, interpreting, and complementing the
20 code, is adopted for use by the military forces of this state and applies, insofar as the code is not otherwise
21 inconsistent with the constitution of this state and except as otherwise provided by this title or by rule
22 adopted by the department, to the greatest extent practicable to govern the military forces of this state,
23 including all members of the national guard on active duty within the state as active duty guard/reserve
24 (AGR) personnel under Title 32 of the United States Code when the members are serving other than in a
25 federal capacity under Title 10 of the United States Code."
26

27 **NEW SECTION. Section 2. Saving clause.** [This act] does not affect rights and duties that
28 matured, penalties that were incurred, or proceedings that were begun before [the effective date of this
29 act].
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REFERENCE BILL