

192A.111 MAXIMUM LIMITS.

Subdivision 1. **Punishment limits.** The punishment that a court-martial may direct for an offense may not exceed limits prescribed by this code.

Subd. 2. **Level of offense.** (a) Subject to paragraphs (b) and (c), all military offenses are misdemeanors, and a sentence of confinement must not exceed 90 days.

(b) In cases where the civilian authorities decline to prosecute and court-martial jurisdiction is taken pursuant to sections 192A.02, subdivision 3, and 192A.605, the level of offense and punishment a court-martial is authorized is defined by the level of offense and punishments authorized under the statute for the assimilated crime.

(c) For crimes under sections 192A.54, 192A.545, 192A.59, and 192A.595 with monetary loss of \$1,000 or more, confinement must not exceed ten years. A sentence of confinement for more than one year is a felony offense.

(d) Any conviction by a summary courts-martial is not a criminal conviction.

(e) The limits of punishment for violations of the purely military offenses prescribed under this section shall be the lesser of the sentences prescribed by the manual for courts-martial of the United States, and the state manual for courts-martial, but in no instance shall any punishment exceed that authorized by this code.

History: 1963 c 661 s 192A.30; 2002 c 308 s 70; 2013 c 78 s 8