

## **Kansas Code of Military Justice—Nonjudicial Punishment; SB 290**

**SB 290** revises the statute governing nonjudicial punishment under the Kansas Code of Military Justice. The bill restructures a number of provisions within the statute or clarifies existing language without making substantive changes. Other provisions are restructured and changed substantively, as follows:

- The amount of time that extra duties, withholding of privileges, or restrictions could be imposed as punishment is increased;
- Forfeitures and fines are changed from dollar amounts to days of pay and limits increased;
- The ability to reduce pay grades is increased;
- Arrest in quarters for up to 30 days is added as a punishment option;
- A provision limiting the total length of consecutive punishment and requiring apportionment of punishments is added;
- The governor, adjutant general, or an officer of a general or flag rank is allowed to delegate the powers under the bill;
- A provision allowing the governor to limit the powers under the section by regulation is removed;
- A provision is added allowing regulations to prescribe the form of records to be kept of proceedings under the section and to require certain categories be in writing;
- For appeals to the next superior authority, the bill requires a person punished to make such appeal within 15 days, and punishment will be stayed until final action is taken on the appeal;
- The authority acting on the appeal is required to refer the case to a judge advocate for consideration and advice;
- A provision providing the right to court martial in lieu of punishment under this section is narrowed to apply only if punishment may include arrest in quarters or restriction; and
- The bill clarifies punishment under this section is not a bar to trial by a civilian court of competent jurisdiction.