

**35.020 Jurisdiction of courts-martial to try certain personnel.**

- (1) All persons discharged from the National Guard or active militia subsequently charged with having fraudulently obtained said discharge shall be subject to trial by court-martial on said charge and, after apprehension, shall be subject to this code. Upon conviction of said charge they shall be subject to trial by court-martial for any offense under this code committed prior to the fraudulent discharge.
- (2) Any person who has deserted from the National Guard or active militia shall not be relieved from amenability to the jurisdiction of this code by virtue of a separation from any subsequent period of service.
- (3) The fact that any person charged with an offense under this code is separated from the service while proceedings are pending or while undergoing sentence shall not affect the jurisdiction of any court-martial.

**History:** Amended 1970 Ky. Acts ch. 56, sec. 3. -- Created 1954 Ky. Acts ch. 99, sec. 3, effective July 1, 1954.