

MICHIGAN CODE OF MILITARY JUSTICE OF 1980 (EXCERPT)
Act 523 of 1980

32.1058b Court-martial sentence; confinement; forfeiture of pay and allowance; waiver.

Sec. 58b. (1) A court-martial sentence described in subsection (4) must result in the forfeiture of pay, or of pay and allowances, due that member during any period of confinement or parole.

(2) A forfeiture under this section takes effect on the date determined under section 57 and may be deferred as provided in that section.

(3) The pay and allowances forfeited, in the case of a general court-martial, must be all pay and allowances due that member during any period of confinement or parole and, in the case of a special court-martial, must be 2/3 of all pay due that member during that period.

(4) A court-martial sentence covered by this section is any sentence that includes either of the following:

(a) Confinement for more than 6 months.

(b) Confinement for 6 months or less and a dishonorable or bad conduct discharge or dismissal.

(5) If an accused has dependents, the convening authority may waive any or all of the forfeitures of pay and allowances required by subsection (1) or (3) for a period of not more than 6 months. Any amount of pay or allowances that, except if waived under this subsection, would be forfeited must be paid, as the convening authority or other person taking action directs, to the dependents of the accused.

(6) If the sentence of a member who forfeits pay and allowances under subsection (1) or (3) is set aside or disapproved or, as finally approved, does not provide for a punishment referred to in subsection (4), the member must be paid the pay and allowances that the member would have been paid, except for the forfeiture, for the period during which the forfeiture was in effect.

History: Add. 2024, Act 77, Imd. Eff. July 8, 2024.