

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

32.1052 Conviction and sentence; concurrence of 3/4 of members present required; determination of questions by majority vote or lesser vote; tie vote.

Sec. 52.

(1) An individual must not be convicted of an offense in a general or special court-martial, except under any of the following circumstances:

- (a) After a plea of guilty under section 45.
- (b) By a military judge in a court-martial with a military judge alone under section 16.
- (c) In a court-martial with members under section 16, by the concurrence of 3/4 of the members present at the time the vote is taken.

(2) Each sentence imposed by a court-martial must be determined by the concurrence of 3/4 of the members present at the time that the vote is taken.

(3) Any other question to be decided by the members of a general or special court-martial must be determined by a majority vote, but the determination to reconsider a finding of guilty or reconsider a sentence, to decrease or lessen the sentence, may be made by a lesser vote that indicates that the reconsideration is not opposed by the number of votes required for that finding or sentence.

History: 1980, Act 523, Eff. Mar. 31, 1981 ;-- Am. 2024, Act 77, Imd. Eff. July 8, 2024