

29B.82 Desertion.

Any member of the state military forces who:

1. Without authority goes or remains absent from the member's unit, organization, or place of duty with intent to remain away therefrom permanently;
2. Quits the member's unit, organization or place of duty with intent to avoid hazardous duty or to shirk important services; or
3. Without being regularly separated from one of the state military forces enlists or accepts an appointment in the same or another one of the state military forces, or in one of the armed forces of the United States, without duly disclosing the fact that the member has not been regularly separated; is guilty of desertion.

Any commissioned officer of the state military forces who, after tender of the officer's resignation and before notice of its acceptance, quits a post or proper duties without leave and with intent to remain away therefrom permanently is guilty of desertion.

Any person found guilty of desertion or attempt to desert shall be punished as a court-martial may direct.

[C66, 71, 73, 75, 77, 79, 81, § 29B.82]