

29B.1 Persons subject to code — definitions — short title.

1. A person shall not be punished for an offense under [this chapter](#) unless the person is a member of the military forces of the state and any of the following applies:

a. The person is on national guard duty or state active duty, including between consecutive drill periods which are less than twenty-four hours apart. For purposes of this paragraph, a member of the state military forces is on national guard duty or state active duty during travel to or from the member's duty location.

b. (1) The person is not on national guard duty or state active duty but a nexus exists between the offense and the military forces of the state. Only a commanding officer holding a position in the grade of 0-6 and above may impose nonjudicial punishment for an offense subject to this paragraph.

(2) For purposes of this paragraph, the military forces of the state shall have the burden to show the existence of a nexus by a preponderance of the evidence and the term nexus shall be liberally construed in favor of finding the existence of a nexus.

2. As used in [this chapter](#), unless the context otherwise requires:

a. "Code" means [this chapter](#).

b. "State military forces" means the same as defined in [section 29A.6](#).

3. [This chapter](#) may be cited as the "*Iowa Code of Military Justice*".

[C66, 71, 73, 75, 77, 79, 81, §29B.1; 82 Acts, ch 1042, §1]

[2002 Acts, ch 1117, §41, 52; 2012 Acts, ch 1072, §21; 2017 Acts, ch 63, §2; 2021 Acts, ch 65, §2; 2021 Acts, ch 80, §15](#)