

**HOUSE SUMMARY OF SENATE AMENDMENTS**

**HB 406**

**2021 Regular Session**

**Bishop**

CRIMINAL/PROCEDURE: Provides relative to the presence of the defendant in misdemeanor prosecutions

**Synopsis of Senate Amendments**

1. Makes a technical change.

**Digest of Bill as Finally Passed by Senate**

Present law authorizes the court to permit a defendant charged with a misdemeanor to be arraigned, enter his plea of guilty, or be tried, in his absence.

Proposed law retains present law.

Present law provides that a plea of not guilty of a misdemeanor may always be entered through counsel and in the absence of the defendant.

Proposed law provides that pleas of not guilty of misdemeanors shall be entered through counsel of record and in the absence of the defendant by the filing of a sworn affidavit in advance of the scheduled arraignment date.

Proposed law requires and provides the form counsel is to use when accepting service and waiving the presence of the defendant.

(Amends C.Cr.P. Art. 833)