
DIGEST

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HB 406 Engrossed

2021 Regular Session

Bishop

Abstract: Relative to the presence of the defendant in misdemeanor prosecutions, requires the court to allow the defendant to be arraigned, plead guilty, or be tried in his absence, and further requires pleas of not guilty to be entered through counsel in the absence of the defendant.

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

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 in the absence of the defendant.

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; Adds C.Cr.P. Art. 833.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Requires the counsel to use proposed law form when accepting service and waiving the presence of the defendant.
2. Provides the form required by proposed law.