

GREEN SHEET REDIGEST

HB 200

2022 Regular Session

Brown

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

DIGEST

Present law requires a plea of not guilty of a misdemeanor to be entered through counsel of record and in the absence of the defendant by the filing of a sworn affidavit prior to the scheduled arraignment date.

Proposed law amends present law to provide that a plea of not guilty of a misdemeanor may always be allowed to be entered through counsel of record and if the defendant is not present, a plea of not guilty may be entered by the filing of a sworn affidavit prior to the scheduled arraignment date.

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

Summary of Amendments Adopted by House

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

1. Provide that a plea of not guilty of a misdemeanor may always be entered through counsel of record in the absence of the defendant and shall be allowed by the filing of a sworn affidavit prior to the scheduled arraignment date.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the engrossed bill

1. Clarify language regarding a plea entered by sworn affidavit, when defendant is not present.