

By: Representative Moak

To: Judiciary B

HOUSE BILL NO. 84

1 AN ACT TO AMEND SECTION 99-17-9, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE APPLICATION OF TRIAL IN THE ABSENCE OF THE ACCUSED; AND  
3 FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 99-17-9, Mississippi Code of 1972, is  
6 amended as follows:

7 99-17-9. In criminal cases the presence of the prisoner may  
8 be waived, and the trial progress, at the discretion of the court,  
9 in his absence, if he be in custody and consenting thereto. If  
10 the defendant \* \* \* be on recognizance or bail or have been  
11 arrested and escaped, or have been notified by the proper officer  
12 of the pendency of the indictment against him, and resisted or  
13 fled, or refused to be taken, or be in any way in default for  
14 nonappearance, the trial may progress at the discretion of the  
15 court, and judgment final and sentence be awarded as though such  
16 defendant were personally present in court.

17 **SECTION 2.** This act shall take effect and be in force from  
18 and after July 1, 2005