

By: Representative Moak

To: Judiciary B

HOUSE BILL NO. 84
(As Sent to Governor)

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 (a) if the defendant is in custody and consenting
9 thereto, or (b) is on recognizance or bail, has been arrested and
10 escaped, or has been notified in writing by the proper officer of
11 the pendency of the indictment against him, and resisted or fled,
12 or refused to be taken, or is in any way in default for
13 nonappearance, the trial may progress at the discretion of the
14 court, and judgment made final and sentence * * * awarded as
15 though such defendant were personally present in court.

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