

CRIMINAL PROCEEDING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates certain pleading requirements.

Highlighted Provisions:

This bill:

► requires an attorney to be present at the pleading stage of a criminal prosecution under specified circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

77-13-7, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **77-13-7** is enacted to read:

77-13-7. Requirement of an attorney.

(1) An entry of a plea of guilty or no contest under Section **77-13-2** for any criminal charge that requires an appearance in court is invalid if, at the time the defendant enters the plea, one of the following is not present:



28 (a) the prosecuting attorney; or

29 (b) the defendant's counsel.

30 (2) Notwithstanding Subsection (1), a defendant may not be deprived of the right to

31 counsel at any stage of a proceeding.