

SECOND REGULAR SESSION

SENATE BILL NO. 680

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUSSELL.

Pre-filed December 1, 1999, and 1,000 copies ordered printed.

25531.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 545.890, 545.900 and 545.920, RSMo 1994, relating to the right to a speedy trial, and to enact in lieu thereof two new sections relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 545.890, 545.900 and 545.920, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 545.890 and 545.900, to read as follows:

545.890. If any person indicted for any offense, and committed to prison, [shall not be] **is not** brought to trial before the end of [the second term of the court having jurisdiction of the offense which shall be held] **ninety days** after such indictment **was** found, [he] **the person** shall be entitled to be discharged, so far as relates to the offense for which [he] **the person** was committed, unless the delay [shall happen on] **was caused** by the application of the prisoner, or [shall be occasioned] **was caused** by the want of time to try the cause [at such second term] **within such time**.

545.900. If any person indicted for any offense, and held to answer on bail, [shall not be] **is not** brought to trial before the end of [the third term of the court in which the cause is pending which shall be held] **one hundred twenty days** after such indictment **was** found, [he] **the person** shall be entitled to be discharged, so far as relates to such offense, unless the delay happened on [his] **the person's** application, or [be occasioned] **was caused** by the want of time to try such cause [at such third term] **within such time**.

[545.920. In all cities or counties in this state in which there shall be more than two regular terms of the court having jurisdiction of criminal cases, the

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

defendant shall not be entitled to be discharged for the reasons and under the circumstances mentioned in section 545.890 until the end of the third term after the indictment was found, and under the circumstances mentioned in section 545.900, the defendant shall not be entitled to be discharged until the end of the fourth term after the indictment was found, and in either case the matter of discharge shall, at the end of such third and fourth terms, be governed by the provisions of section 545.910.]

✓
Unofficial

Bill

Copy