



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Michael J. Madigan

SYNOPSIS AS INTRODUCED:

725 ILCS 5/115-8

from Ch. 38, par. 115-8

Amends the Code of Criminal Procedure of 1963. Makes a technical change in a Section that permits the defendant to waive his or her right to be present during trial.

LRB093 20147 RLC 45892 b

1 AN ACT in relation to criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Code of Criminal Procedure of 1963 is
5 amended by changing Section 115-8 as follows:

6 (725 ILCS 5/115-8) (from Ch. 38, par. 115-8)

7 Sec. 115-8. A defendant may waive his or her right to be
8 present during trial. However, upon motion of the State's
9 Attorney made prior to or during trial, the court shall order
10 the defendant to present himself in open court for the purpose
11 of identification.

12 (Source: P.A. 77-1426.)