



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 9 be amended to read as follows:

- 1 Page 2, delete lines 15 through 40, begin a new paragraph and
- 2 insert:
- 3 **"(d) The defendant shall be present in the courtroom while a**
- 4 **victim makes a statement concerning the crime and the sentence**
- 5 **under this section, unless the defendant presents a safety risk or**
- 6 **causes a significant disruption.**
- 7 **(e) If a defendant fails to appear at the sentencing hearing, and**
- 8 **is later taken into custody, the sentencing court shall, upon motion**
- 9 **by the prosecuting attorney, hold a hearing at which a victim has**
- 10 **the right to make a statement in the presence of the defendant**
- 11 **concerning the crime and the sentence, unless the defendant**
- 12 **presents a safety risk or causes a significant disruption.**
- 13 **(f) Subsection (d) does not prohibit a court from sentencing a**
- 14 **defendant who is absent from the courtroom."**
- 15 Page 3, line 11, delete "subsection." and insert "**subsection, unless**
- 16 **the defendant presents a safety risk or causes a significant**
- 17 **disruption."**
- 18 Page 3, delete lines 17 through 29, begin a new paragraph and
- 19 insert:
- 20 **"(c) If a defendant fails to appear at the sentencing hearing, and**
- 21 **is later taken into custody, the sentencing court shall, upon motion**
- 22 **by the prosecuting attorney, hold a hearing at which a victim has**

1 **the right to make a statement in the presence of the defendant**
2 **concerning the crime and the sentence, unless the defendant**
3 **presents a safety risk or causes a significant disruption.**
4 **(d) Subsection (a) does not prohibit a court from sentencing a**
5 **defendant who is absent from the courtroom."**
6 Page 3, delete lines 35 through 42, begin a new paragraph and
7 insert:
8 **"(b) The defendant shall be present in the courtroom while a**
9 **victim makes a statement concerning the crime and the sentence**
10 **under this section, unless the defendant presents a safety risk or**
11 **causes a significant disruption.**
12 **(c) If a defendant fails to appear at the sentencing hearing, and**
13 **is later taken into custody, the sentencing court shall, upon motion**
14 **by the prosecuting attorney, hold a hearing at which a victim has**
15 **the right to make a statement in the presence of the defendant**
16 **concerning the crime and the sentence, unless the defendant**
17 **presents a safety risk or causes a significant disruption.**
18 **(d) Subsection (b) does not prohibit a court from sentencing a**
19 **defendant who is absent from the courtroom."**
20 Delete page 4.
 (Reference is to ESB 9 as printed February 12, 2026.)

Representative Meltzer