

**802.9 Indictment or information where a defect is found.**

If a defect, error, or irregularity is discovered in any indictment or information which, on motion of either party, causes the indictment or information to be dismissed or the prosecution to be set aside or reversed on appeal, a new indictment or information may be found within thirty days after such action notwithstanding the time limitations enumerated in [this chapter](#).

[C51, §2949, 3251, 3252; R60, §4699, 4711, 4712, 5011 – 5013; C73, §4344, 4356, 4357, 4617 – 4619; C97, §5326, 5331, 5539; C24, 27, 31, 35, 39, §13788, 13796, 13797, 14027; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §776.9, 777.8, 777.9, 795.5; C79, 81, §802.9]

[2021 Acts, ch 76, §147](#)