

By: Reynolds

H.J.R. No. 5

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the denial of bail
2 to an accused person if a judge or magistrate determines by clear
3 and convincing evidence that requiring bail and conditions of
4 release is insufficient to reasonably ensure the person's
5 appearance in court or the safety of the community or of any person,
6 including the victim of the alleged offense.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Article I, Texas Constitution, is amended by
9 adding Section 11d to read as follows:

10 Sec. 11d. A person may be denied bail pending trial if a
11 judge or magistrate determines by clear and convincing evidence
12 that requiring bail and conditions of release is insufficient to
13 reasonably ensure:

14 (1) the person's appearance in court as required; or
15 (2) the safety of the community or of any person,
16 including the victim of the alleged offense.

17 SECTION 2. This proposed constitutional amendment shall be
18 submitted to the voters at an election to be held November 2, 2021.
19 The ballot shall be printed to permit voting for or against the
20 proposition: "The constitutional amendment authorizing the denial
21 of bail to an accused person if a judge or magistrate determines by
22 clear and convincing evidence that requiring bail and conditions of
23 release is insufficient to reasonably ensure the person's
24 appearance in court or the safety of the community or of any person,

1 including the victim of the alleged offense."