

By: Huffman, et al. S.J.R. No. 1  
(Smithee, DeAyala, Little, Cook, Louderback, et al.)

Substitute the following for S.J.R. No. 1:

By: Smithee C.S.S.J.R. No. 1

A JOINT RESOLUTION

1 proposing a constitutional amendment requiring the denial of bail  
2 under certain circumstances for illegal aliens charged with certain  
3 offenses punishable as a felony.

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

5 SECTION 1. This joint resolution shall be known as  
6 Jocelyn's Law.

7 SECTION 2. Article I, Texas Constitution, is amended by  
8 adding Section 11e to read as follows:

9 Sec. 11e. (a) In this section, "illegal alien" means an  
10 alien who:

11 (1) before the date of the commission of the offense:

12 (A) entered the United States without inspection  
13 or at any time or any place other than as designated by the United  
14 States attorney general; or

15 (B) was admitted as a nonimmigrant and failed to  
16 maintain the nonimmigrant status under which the alien was admitted  
17 or to which it was changed under applicable federal immigration law  
18 or to comply with the conditions of the alien's status; and

19 (2) did not attain and maintain lawful presence in the  
20 United States before the date of the commission of the offense.

21 (b) For purposes of this section, a person is lawfully  
22 present in the United States only if the person is a United States  
23 citizen or has been granted status as a lawful permanent resident,  
24 asylee, or refugee or status as a parolee under a military parole in

1 place program.

2 (c) This section applies only to an illegal alien who is  
3 accused of committing one or more of the following offenses:

4 (1) criminal solicitation, if the offense is  
5 punishable as a felony of the first degree;

6 (2) murder;

7 (3) capital murder;

8 (4) aggravated kidnapping;

9 (5) trafficking of persons;

10 (6) continuous trafficking of persons;

11 (7) indecency with a child;

12 (8) sexual assault;

13 (9) aggravated sexual assault;

14 (10) injury to a child, if the offense is punishable as  
15 a felony;

16 (11) aggravated robbery;

17 (12) burglary, if:

18 (A) the offense is punishable as a felony of the  
19 first degree; and

20 (B) the illegal alien committed the offense with  
21 the intent to commit one or more of the following offenses  
22 punishable as a felony:

23 (i) continuous sexual abuse of a young  
24 child or disabled individual;

25 (ii) indecency with a child;

26 (iii) sexual assault;

27 (iv) aggravated sexual assault; or

1                   (v) prohibited sexual conduct;  
2                   (13) aggravated promotion of prostitution;  
3                   (14) compelling prostitution;  
4                   (15) sexual performance by a child;  
5                   (16) possession or promotion of child pornography;  
6                   (17) an offense punishable as a felony if:  
7                   (A) a deadly weapon, as that term is defined by  
8 general law, was used or exhibited during the:  
9                   (i) commission of the offense; or  
10                   (ii) immediate flight from the commission  
11 of the offense; and  
12                   (B) the illegal alien:  
13                   (i) used or exhibited the deadly weapon; or  
14                   (ii) was a party to the offense and knew  
15 that a deadly weapon would be used or exhibited;  
16                   (18) an offense under the Election Code that is  
17 punishable as a felony of the third degree or any higher category of  
18 offense;  
19                   (19) an offense that involves the manufacture or  
20 delivery of or possession with the intent to deliver a controlled  
21 substance under the Health and Safety Code and that is punishable as  
22 a felony; or  
23                   (20) an offense punishable as a felony that involves  
24 the manufacture, delivery, or possession of a controlled substance  
25 and that was committed in a drug-free zone as provided by general  
26 law, if the illegal alien has previously been convicted of an  
27 offense punishable as a felony that involves the manufacture,

1 delivery, or possession of a controlled substance and that was  
2 committed in a drug-free zone as provided by general law.

3 (d) An illegal alien to whom this section applies shall be  
4 denied bail pending trial if a judge or magistrate determines after  
5 a hearing that probable cause exists to believe that the person  
6 engaged in the conduct constituting the offense.

7 (e) This section may not be construed to prevent a lawful  
8 transfer of custody of an illegal alien who is denied bail under  
9 this section.

10 SECTION 3. This proposed constitutional amendment shall be  
11 submitted to the voters at an election to be held November 4, 2025.  
12 The ballot shall be printed to permit voting for or against the  
13 proposition: "The constitutional amendment requiring the denial of  
14 bail under certain circumstances for illegal aliens charged with  
15 certain offenses punishable as a felony."