

By: Uresti

S.J.R. No. 58

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the denial of bail to defendants charged with certain offenses against children.

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

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

Sec. 11c. (a) The legislature by general law may provide that any person alleged to have committed an offense described by Subsection (b) of this section may be denied release on bail on a determination by a judge by clear and convincing evidence following a hearing that there is no condition or combination of conditions of bail that will reasonably assure the appearance of the defendant and the safety of a victim of or witness to the alleged offense or any other member of the community.

(b) This section applies to a defendant alleged to have committed against a victim younger than 17 years of age the offense of:

(1) sexual assault or aggravated sexual assault;

(2) prohibited sexual contact; or

(3) sexual performance by a child.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the denial

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1 of bail to defendants charged with certain offenses against  
2 children."