

By: Reynolds

H.J.R. No. 101

A JOINT RESOLUTION

1 proposing a constitutional amendment creating a presumption that
2 nonviolent criminal defendants will be released on personal bond
3 unless good cause is shown otherwise.

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

5 SECTION 1. Section 11, Article I, Texas Constitution, is
6 amended to read as follows:

7 Sec. 11. (a) All prisoners shall be bailable by sufficient
8 sureties, unless for capital offenses, when the proof is evident;
9 but this provision shall not be so construed as to prevent bail
10 after indictment found upon examination of the evidence, in such
11 manner as may be prescribed by law.

12 (b) A person charged with only one or more nonviolent
13 offenses shall be released on personal bond pending trial unless a
14 judge or magistrate determines by clear and convincing evidence
15 that release on personal bond would be insufficient to reasonably
16 ensure:

17 (1) the person's appearance in court as required; and
18 (2) the safety of the community and the victim of the
19 alleged offense.

20 SECTION 2. This proposed constitutional amendment shall be
21 submitted to the voters at an election to be held November 5, 2019.
22 The ballot shall be printed to permit voting for or against the
23 proposition: "The constitutional amendment creating a presumption
24 that nonviolent criminal defendants will be released on personal

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1 bond unless good cause is shown otherwise."