

Amend HJR 4 (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTION to the joint resolution and renumber subsequent SECTIONS accordingly:

SECTION \_\_\_\_ . Section 11, Article I, Texas Constitution, is amended to read as follows:

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

(b) In making a bail decision, a judge or magistrate shall impose the least restrictive conditions, if any, and amount of bail, if any, necessary to reasonably ensure the accused person's appearance in court as required and the safety of the community, law enforcement, and the victim of the alleged offense.

(2) In SECTION 1 of the joint resolution, in added Section 11d, Article I, Texas Constitution, strike page 1, lines 20-21, and substitute the following:

Sec. 11d. (a) A person who is charged with a first-degree felony; or, a person who is charged with a violent offense or continuous trafficking of persons and (1) has been previously convicted of a violent or sexual offense; (2) is under information or indictment for another violent or sexual offense or charge of continuous trafficking of persons; or (3) has previously been convicted of a first-degree felony

(3) In SECTION 1 of the joint resolution, in added Section 11d, Article I, Texas Constitution (page 1, line 39), between "(d)" and "In this section", insert the following:

For purposes of determining whether clear and convincing evidence exists to deny a person bail as described by this section, a judge or magistrate shall consider the factors required to be considered by a judge or magistrate in setting bail under general law, including statutory law governing criminal procedure.

(e)

(4) In SECTION 2 of the joint resolution, in the ballot proposition language (page 1, line 44), between "amendment" and "authorizing", insert "requiring a judge or magistrate to impose

the least restrictive conditions and amount of bail necessary and".