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By:  Parker S.J.R. No. 51

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to enact laws providing for the denial of bail to a person accused of committing a trafficking or sexual offense against a child while released on bail for committing a similar offense.

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

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

Sec. 11d.  (a) The legislature by general law may provide for the denial of bail to any person who is accused of committing a trafficking or sexual offense against a child, who is released on bail pending trial and while on bail commits another trafficking or sexual offense against a child, if a judge or magistrate, following a hearing, determines by a preponderance of the evidence that the person committed the offense while on bail.

(b)  In this section, "sexual offense" means:

(1)  aggravated kidnapping committed with the intent to violate or abuse the child sexually;

(2)  indecency with a child;

(3)  sexual assault;

(4)  aggravated sexual assault;

(5)  burglary committed with the intent to commit an offense described by Subdivision (1), (2), (3), or (4) of this subsection;

(6)  sexual performance by a child;

(7)  compelling prostitution; or

(8)  continuous sexual abuse of a young child.

SECTION 2.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to enact laws providing for the denial of bail to a person accused of committing a trafficking or sexual offense against a child while released on bail for committing a similar offense."