

By: Parker

S.J.R. No. 51

A JOINT RESOLUTION

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

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

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

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

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

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

18 (2) indecency with a child;

19 (3) sexual assault;

20 (4) aggravated sexual assault;

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

24 (6) sexual performance by a child;

1 (7) compelling prostitution; or

2 (8) continuous sexual abuse of a young child.

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