

By: Huffman, et al.

S.J.R. No. 87

SENATE JOINT RESOLUTION

proposing a constitutional amendment requiring the denial of bail to persons accused of certain offenses punishable as a felony who have previously been convicted of or who were released on bail for certain offenses punishable as a felony at the time of the new offense.

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

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

Sec. 11f. (a) This section applies only to a person accused of committing one or more of the following offenses:

(1) murder;

(2) capital murder;

(3) aggravated assault if the person:

(A) caused serious bodily injury, as that term is defined by general law, to another; or

(B) used a firearm, club, knife, or explosive weapon, as those terms are defined by general law, during the commission of the assault;

(4) aggravated kidnapping;

(5) aggravated robbery;

(6) aggravated sexual assault;

(7) indecency with a child;

(8) trafficking of persons; or

1           (9) continuous trafficking of persons.

2           (b) Notwithstanding any other provision of this  
3 constitution, a person to whom this section applies shall be denied  
4 bail pending trial if a judge or magistrate determines after a  
5 hearing that the attorney representing the state demonstrates:

6           (1) probable cause exists to believe that the person  
7 engaged in conduct constituting an offense described by Subsection  
8 (a) of this section; and

9           (2) the person:

10           (A) was previously convicted of an offense  
11 described by Subsection (a) of this section; or

12           (B) at the time of the new offense, was released  
13 on bail for an offense described by Subsection (a) of this section.

14           (c) At a hearing described by this section, a person is  
15 entitled to be represented by counsel.

16           SECTION 2. This proposed constitutional amendment shall be  
17 submitted to the voters at an election to be held November 4, 2025.  
18 The ballot shall be printed to permit voting for or against the  
19 proposition: "The constitutional amendment requiring the denial of  
20 bail to persons accused of certain offenses punishable as a felony  
21 who have previously been convicted of or who were released on bail  
22 for certain offenses punishable as a felony at the time of the new  
23 offense."