

1 HB282  
2 199644-3  
3 By Representatives Brown (C), Stringer, Oliver, Robertson,  
4 Faust, Easterbrook, Reynolds, Marques, Simpson, Isbell,  
5 Lipscomb, Moore (P), Estes, Kiel, Dismukes, Whitt and Sorrells  
6 (Constitutional Amendment)  
7 RFD: Judiciary  
8 First Read: 21-MAR-19



1           " That all persons shall, before conviction, be  
2           bailable by sufficient sureties, except for ~~capital offenses~~  
3           Class A felonies listed in Chapter 6 of Title 13A, when the  
4           proof is evident or the presumption great, ~~and that excessive.~~  
5           If no condition of release can reasonably protect the  
6           community from risk of physical harm to the accused, the  
7           public, or both, or ensure the presence of the accused at  
8           trial, or ensure the integrity of the judicial process, the  
9           accused may be detained without bail. Excessive bail shall not  
10          in any case be imposed or required."

11           Section 2. An election upon the proposed amendment  
12          shall be held in accordance with Sections 284 and 285 of the  
13          Constitution of Alabama of 1901, now appearing as Sections 284  
14          and 285 of the Official Recompilation of the Constitution of  
15          Alabama of 1901, as amended, and the election laws of this  
16          state.

17           Section 3. The appropriate election official shall  
18          assign a ballot number for the proposed constitutional  
19          amendment on the election ballot and shall set forth the  
20          following description of the substance or subject matter of  
21          the proposed constitutional amendment:

22           "Proposing an amendment to the Constitution of  
23          Alabama of 1901, to provide that all persons charged with a  
24          crime, before conviction, be allowed bail, unless the person  
25          is charged with a Class A felony offense listed in Chapter 6  
26          or Title 13A, when the proof of guilt is evident or the  
27          presumption of guilt is great and to allow the denial of bail

1 if no condition of release can reasonably protect the  
2 community from risk of physical harm to the accused, the  
3 public, or both, ensure the presence of the accused at trial,  
4 ~~or ensure the integrity of the judicial process.~~

5 "Proposed by Act \_\_\_\_\_."

6 This description shall be followed by the following  
7 language:

8 "Yes ( ) No ( )."

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Judiciary ..... 21-MAR-19

Read for the second time and placed  
on the calendar with 1 substitute  
and..... 02-MAY-19

Read for the third time and passed  
as amended..... 21-MAY-19

Yeas 92, Nays 3, Abstains 5

Jeff Woodard  
Clerk