SB59
204009-1
By Senators Ward, Butler and Whatley (Constitutional Amendment)
RFD: Judiciary
First Read: 04-FEB-20
PFD: 01/30/2020
SYNOPSIS: The Constitution of Alabama of 1901, provides that all individuals charged with a crime are allowed bail before conviction, unless the person is charged with a capital offense and the proof of guilt is evident or the presumption of guilt is great and also prohibits excessive bail.

This bill would propose an amendment to the Constitution of Alabama of 1901, that would require reasonable bail in all cases, except for offenses enumerated by the Legislature by general law.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to Section 16 of the Constitution of Alabama of 1901, now appearing as Section 16 of the Official Recompilation of the Constitution of Alabama 1901, as amended, to provide that all individuals shall be
entitled to reasonable bail prior to conviction, except for offenses enumerated by the Legislature by general law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

"Section 16.

"That all persons Any individual charged with a crime is shall entitled to reasonable bail, before prior to conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great, and that excessive bail shall not in any case be required unless charged with a crime enumerated by the Legislature by general law."

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

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

Proposing an amendment to the Constitution of
Alabama of 1901, to provide that an individual is entitled to
reasonable bail prior to conviction, unless charged with a
crime enumerated by the Legislature in general law."

"Proposed by Act ________.”

This description shall be followed by the following
language:

"Yes ( ) No ( )."