

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 3

AN ACT concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. [EFFECTIVE JULY 1, 2026] (a) **The amendment to the Constitution of the State of Indiana concerning the release of an arrestee on bail, agreed to by the One Hundred Twenty-Third General Assembly (P.L.255-2023) and the One Hundred Twenty-Fourth General Assembly (SJR 1-2026), shall be submitted to the electors of Indiana at the 2026 general election in the manner provided for the submission of constitutional amendments under IC 3.**

(b) **Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2026 general election ballot as follows:**

"Public Question #1

Currently, under the Constitution of the State of Indiana, a person charged with murder or treason is not entitled to be released on bail if the proof is evident or the presumption strong.

Shall the Constitution of the State of Indiana be amended to

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provide that a person charged with an offense other than murder or treason is not entitled to bail if:

- (1) the proof is evident or the presumption strong; and**
- (2) the state proves by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community.**

(This question concerns Article 1, Section 17 of the Constitution of the State of Indiana.)"

(c) This SECTION expires July 1, 2027.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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