

PRINTING CODE. Deletions appear in ~~this style type~~. Insertions appear in this style type. Typeface changes are shown in ~~this~~ ~~style~~ ~~type~~ or in this style type.

SENATE BILL No. 3

Proposed Changes to introduced printing by AM000301

DIGEST OF PROPOSED AMENDMENT

Misdemeanors. Adds a reference to a minor misdemeanor to the ballot language for SJR 1.

A BILL FOR AN ACT concerning criminal law and procedure.

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

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

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

"Public Question #1

18
19 Currently, under the Constitution of the State of Indiana, a
20 person charged with murder or treason is not entitled to be
21 released on bail if the proof is evident or the presumption strong.

2026

IN 3—LS 7038/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
a
r
k
u
p

1 **Shall the Constitution of the State of Indiana be amended to**
2 **provide that a person charged with an offense other than murder**
3 **or treason**[, including a minor misdemeanor,] **is not entitled to bail**
4 **if:**

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

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

11 **(c) This SECTION expires July 1, 2027.**[
12]

M
a
r
k
u
p

2026

IN 3—LS 7038/DI 106



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY