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# 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.

### "Public Question #1

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.

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IN 3—LS 7038/DI 106



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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.****[1]**

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