



# SENATE JOINT RESOLUTION No. \_\_\_\_\_

## DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** Article 1, Section 17 of the Constitution of the State of Indiana.

**Synopsis:** Constitutional amendment concerning bail. Provides that an offense other than murder or treason is not bailable 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 proposed amendment has been agreed to by one general assembly.

**Effective:** This proposed amendment must be agreed to by a second general assembly and ratified by a majority of the state's voters voting on the question to be effective.

**Koch**

\_\_\_\_\_, read first time and referred to Committee on \_\_\_\_\_



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 JOINT RESOLUTION

---

A JOINT RESOLUTION proposing an amendment to Article 1, Section 17 of the Constitution of the State of Indiana concerning constitutional law.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. The following proposed amendment to the
- 2 Constitution of the State of Indiana, which was agreed to by the One
- 3 Hundred Twenty-Third General Assembly of the State of Indiana and
- 4 referred to this General Assembly for reconsideration and agreement,
- 5 is agreed to by this the One Hundred Twenty-Fourth General Assembly
- 6 of the State of Indiana.
- 7 SECTION 2. ARTICLE 1, SECTION 17 OF THE CONSTITUTION
- 8 OF THE STATE OF INDIANA IS AMENDED TO READ AS
- 9 FOLLOWS: Section 17. Offenses, other than murder or treason, shall
- 10 be bailable by sufficient sureties, **unless the accused poses a**
- 11 **substantial risk to any other person or the community.** Murder or
- 12 treason shall not be bailable when the proof is evident, or the



1 presumption strong. **An offense other than murder or treason shall**  
2 **not be bailable if:**  
3       **(1) the proof is evident or the presumption strong; and**  
4       **(2) the state proves by clear and convincing evidence that no**  
5       **release conditions will reasonably protect the safety of any**  
6       **other person or the community.**

