SB118 ENROLLED



- 1 SB118
- 2 UA6WXXG-3
- 3 By Senator Barfoot (Constitutional Amendment)
- 4 RFD: Judiciary
- 5 First Read: 05-Feb-25

SB118 Enrolled



1 Enrolled, An Act, 2 3 4 To propose an amendment to Section 16 of the 5 Constitution of Alabama of 2022, to provide for additional offenses that would allow a judge to deny bail under certain 6 7 circumstances. 8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: 9 Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed: 10 11 12 13 PROPOSED AMENDMENT 14 Section 16 of the Constitution of Alabama of 2022, is amended to read as follows: 15 16 Section 16. That all persons shall, before conviction, be bailable 17 by sufficient sureties, unless charged with capital murder, as 18 provided in Section 13A-5-40, Code of Alabama 1975, as 19 20 amended; murder, as provided in Section 13A-6-2, Code of 21 Alabama 1975, as amended, or any solicitation, attempt, or 22 conspiracy to commit murder; kidnapping in the first degree, as provided in Section 13A-6-43, Code of Alabama 1975, as 23 24 amended; rape in the first degree, as provided in Section 25 13A-6-61, Code of Alabama 1975, as amended; sodomy in the 26 first degree, as provided in Section 13A-6-63, Code of Alabama 27 1975, as amended; sexual torture, as provided in Section

13A-6-65.1, Code of Alabama 1975, as amended; domestic

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29 violence in the first degree, as provided in Section 30 13A-6-130, Code of Alabama 1975, as amended; human trafficking 31 in the first degree, as provided in Section 13A-6-152, Code of 32 Alabama 1975, as amended; burglary in the first degree, as 33 provided in Section 13A-7-5, Code of Alabama 1975, as amended; 34 arson in the first degree, as provided in Section 13A-7-41, 35 Code of Alabama 1975, as amended; robbery in the first degree, 36 as provided in Section 13A-8-41, Code of Alabama 1975, as amended; terrorism, as provided in subdivision (b)(2) of 37 Section 13A-10-152, Code of Alabama 1975, as amended; and 38 39 aggravated child abuse, as provided in subsection (b) of Section 26-15-3.1, Code of Alabama 1975, as amended; and 40 shooting or discharging a firearm, explosive, or other weapon 41 42 into an occupied dwelling, building, railroad locomotive, 43 railroad car, aircraft, automobile, truck, or watercraft, as provided in Section 13A-11-61(b); and that excessive 44 45 bail shall not in any case be required. 46 END OF PROPOSED AMENDMENT 47 Section 2. An election upon the proposed amendment 48 shall be held at the statewide primary election in 2026 in 49 accordance with Sections 284 and 285 of the Constitution of 50 Alabama of 2022, and the election laws of this state. The 51 appropriate election official shall assign a ballot number for 52 the proposed constitutional amendment on the election ballot 53 and shall set forth the following description of the substance 54 or subject matter of the proposed constitutional amendment: 55 "Proposing an amendment to the Constitution of Alabama 56 of 2022, to provide that the following offenses shall be





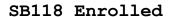
offenses for which a judge may deny bail: shooting or 57 discharging a firearm into an occupied dwelling or other 58 59 occupied space in violation of Section 13A-11-61(b), Code of 60 Alabama 1975; or any solicitation, attempt, or conspiracy to 61 commit murder. 62 Proposed by Act ." This description shall be followed by the following 63 64 language: "Yes () No()." 65 Section 3. The proposed amendment shall become valid as 66

a part of the Constitution of Alabama of 2022, when approved

by a majority of the qualified electors voting thereon.

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President and Presiding Officer of the Senate Speaker of the House of Representatives SB118 Senate 25-Feb-25 I hereby certify that the within Act originated in and passed the Senate, as amended. Patrick Harris, Secretary. House of Representatives Passed: 29-Apr-25 By: Senator Barfoot