

SB118 ENROLLED



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



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1 Enrolled, An Act,

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4 To propose an amendment to Section 16 of the
5 Constitution of Alabama of 2022, to provide for additional
6 offenses that would allow a judge to deny bail under certain
7 circumstances.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. The following amendment to the Constitution
10 of Alabama of 2022, is proposed:

13 PROPOSED AMENDMENT

14 Section 16 of the Constitution of Alabama of 2022, is
15 amended to read as follows:

16 Section 16.

17 That all persons shall, before conviction, be bailable
18 by sufficient sureties, unless charged with capital murder, as
19 provided in Section 13A-5-40, Code of Alabama 1975, as
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,
23 as provided in Section 13A-6-43, Code of Alabama 1975, as
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
28 13A-6-65.1, Code of Alabama 1975, as amended; domestic



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violence in the first degree, as provided in Section 13A-6-130, Code of Alabama 1975, as amended; human trafficking in the first degree, as provided in Section 13A-6-152, Code of Alabama 1975, as amended; burglary in the first degree, as provided in Section 13A-7-5, Code of Alabama 1975, as amended; arson in the first degree, as provided in Section 13A-7-41, Code of Alabama 1975, as amended; robbery in the first degree, as provided in Section 13A-8-41, Code of Alabama 1975, as amended; terrorism, as provided in subdivision (b)(2) of Section 13A-10-152, Code of Alabama 1975, as amended; ~~and~~ aggravated child abuse, as provided in subsection (b) of Section 26-15-3.1, Code of Alabama 1975, as amended; and shooting or discharging a firearm, explosive, or other weapon into an occupied dwelling, building, railroad locomotive, railroad car, aircraft, automobile, truck, or watercraft, as provided in Section 13A-11-61(b); and that excessive bail shall not in any case be required.

END OF PROPOSED AMENDMENT

Section 2. An election upon the proposed amendment shall be held at the statewide primary election in 2026 in accordance with Sections 284 and 285 of the Constitution of Alabama of 2022, and the election laws of this state. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 2022, to provide that the following offenses shall be



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offenses for which a judge may deny bail: shooting or discharging a firearm into an occupied dwelling or other occupied space in violation of Section 13A-11-61(b), Code of Alabama 1975; or any solicitation, attempt, or conspiracy to commit murder.

Proposed by Act ____."

This description shall be followed by the following language:

"Yes () No()."

Section 3. The proposed amendment shall become valid as 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

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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