

SHJR 4220 - H AMD 1033

By Representative Hope

WITHDRAWN 2/05/2010

1 On page 1, beginning on line 8, after "section 20." strike all
2 material through "great." on line 12 and insert "Notwithstanding any
3 other provision of this constitution, all persons charged with crime
4 shall be bailable by sufficient sureties, except for capital offenses
5 and offenses for which the maximum sentence is the possibility of life
6 in prison, when the proof is evident, or the presumption great,
7 subject to such standards of release on bail as shall be determined by
8 the legislature."

9

EFFECT: Removes the language giving judges the discretion to deny bail to a person charged with a crime if only the pretrial detention of the person will reasonably assure public safety.

Provides that, notwithstanding any other provision of the Constitution, a judge may deny bail to a person charged with an offense for which the maximum sentence is the possibility of life in prison. Denial of bail is subject to standards of release on bail that are determined by the Legislature.

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