

2026 Regular Session

HOUSE BILL NO. 51

BY REPRESENTATIVE VILLIO

BAIL: (Constitutional Amendment) Restricts post-conviction bail for certain offenders

## 1 A JOINT RESOLUTION

2 Proposing to amend Article I, Section 18(A) of the Constitution of Louisiana and to add  
3 Article I, Section 18(C) of the Constitution of Louisiana, relative to the right to bail;  
4 to prohibit bail for offenders who have been convicted of certain offenses; to provide  
5 for submission of the proposed amendment to the electors; and to provide for related  
6 matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
8 elected to each house concurring, that there shall be submitted to the electors of the state of  
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to  
10 amend Article I, Section 18(A) of the Constitution of Louisiana and to add Article I, Section  
11 18(C) of the Constitution of Louisiana, to read as follows:

## 12 §18. Right to Bail

13 Section 18.(A) Excessive bail shall not be required. Before and during a  
14 trial, a person shall be bailable by sufficient surety, except when he is charged with  
15 a capital offense and the proof is evident and the presumption of guilt is great. ~~After~~  
16 Except as provided in Paragraph (C) of this Section, after conviction and before  
17 sentencing, a person shall be bailable if the maximum sentence which may be  
18 imposed is imprisonment for five years or less; and the judge may grant bail if the  
19 maximum sentence which may be imposed is imprisonment exceeding five years.  
20 ~~After~~ Except as provided in Paragraph (C) of this Section, after sentencing and until  
21 final judgment, a person shall be bailable if the sentence actually imposed is five

1 years or less; and the judge may grant bail if the sentence actually imposed exceeds  
2 imprisonment for five years.

3 \* \* \*

4 (C) After conviction, a person shall not be bailable if the offense is an  
5 aggravated offense as defined by R.S. 15:541 that is committed against a victim who  
6 is a minor.

7 Section 2. Be it further resolved that this proposed amendment shall be submitted  
8 to the electors of the state of Louisiana at the statewide election to be held on November 3,  
9 2026.

10 Section 3. Be it further resolved that on the official ballot to be used at the election,  
11 there shall be printed a proposition, upon which the electors of the state shall be permitted  
12 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
13 follows:

14 Do you support an amendment to provide that post-conviction bail shall not  
15 be allowed for a defendant who is convicted of an aggravated offense that is  
16 committed against a victim who is a minor? (Amends Article I, Section  
17 18(A); Adds Article I, Section 18(C))

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 51 Original

2026 Regular Session

Villio

**Abstract:** Prohibits post-conviction bail for a defendant who is convicted of an aggravated offense that is committed against a victim who is a minor.

Present constitution provides for the right to bail.

Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment provides that after conviction, a person shall not be bailable if the offense is an aggravated offense as defined by present law (R.S. 15:541) that is committed against a victim who is a minor.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2026.

(Amends Const. Art. I, §18(A); Adds Const. Art. I, §18(C))