

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 prohibit a defendant from being released
15 on any post-conviction bail if the defendant is convicted of an aggravated
16 offense against a minor child? (Amends Article I, Section 18(A); Adds
17 Article I, Section 18(C))

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)]

HB 51 Reengrossed

2026 Regular Session

Villio

Abstract: Prohibits post-conviction bail for a defendant who is convicted of an aggravated offense 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 a person convicted of an aggravated offense, as defined by present law (R.S. 15:541), against a minor is not eligible for any post-conviction bail.

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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill:

1. Revise the ballot language.