

1.1 A bill for an act  
1.2 proposing an amendment to the Minnesota Constitution, article I, section 7;  
1.3 providing for universal pretrial release except in certain circumstances; prohibiting  
1.4 monetary bail.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

1.7 An amendment to the Minnesota Constitution is proposed to the people. If the amendment  
1.8 is adopted, article I, section 7, will read:

1.9 Sec. 7. No person shall be held to answer for a criminal offense without due process of  
1.10 law, and no person shall be put twice in jeopardy of punishment for the same offense, nor  
1.11 be compelled in any criminal case to be a witness against himself, nor be deprived of life,  
1.12 liberty or property without due process of law. ~~All persons before conviction shall be bailable~~  
1.13 ~~by sufficient sureties, except for capital offenses when the proof is evident or the presumption~~  
1.14 ~~great.~~ The privilege of the writ of habeas corpus shall not be suspended unless the public  
1.15 safety requires it in case of rebellion or invasion.

1.16 A person accused of a criminal offense is eligible for pretrial release during the period  
1.17 before a conviction. A court may deny pretrial release to an accused person if the person is  
1.18 charged with a detention-eligible offense and the court finds by clear and convincing evidence  
1.19 that (1) the accused person is highly likely to fail to appear in court as required with intent  
1.20 to avoid or delay adjudication; cause serious harm to an identifiable person or persons;  
1.21 violate an order for protection, a harassment restraining order, a domestic abuse no contact  
1.22 order, or a similar order issued by a Minnesota court or a court in another jurisdiction; or  
1.23 obstruct the criminal justice process; and (2) a less restrictive condition that reasonably

2.1 mitigates the risk does not exist. The legislature shall determine the criminal offenses that  
 2.2 are detention-eligible offenses, except that detention-eligible offenses shall be limited to  
 2.3 offenses that are violent, dangerous, or serious and pose a risk of serious harm to the safety  
 2.4 of an identifiable person or the integrity of the judicial process. The use of monetary bail  
 2.5 is prohibited.

2.6 Sec. 2. **SUBMISSION TO VOTERS.**

2.7 The proposed amendment must be submitted to the people at the 2026 general election.  
 2.8 The question submitted must be:

2.9 "Shall the Minnesota Constitution be amended to prohibit monetary bail and provide  
 2.10 for universal pretrial release for alleged criminal offenses that are nonviolent, not dangerous,  
 2.11 or do not pose a serious risk of harm to a person or the judicial process?"

2.12 Yes .....  
 2.13 No ..... "