

HOUSE RESEARCH

Bill Summary

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Subject: Restoration of Civil Rights; Notification

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Overview

This bill specifies procedures for notifying individuals charged with or convicted of a crime of the status of their civil rights, including the right to vote, and requires development of a publication by the secretary of state on the topic of voting rights for individuals with criminal or arrest records.

- 1 Duties of secretary of state.** Requires the secretary of state to develop a comprehensive publication on the voting rights of individuals who have been charged with or convicted of a felony.

The publication must be made available electronically for distribution, including by the state court administrator to court personnel and by the department of corrections to corrections personnel and members of the public.

- 2 Delivery of ballots.** Prohibits providing absentee ballots for local, state and federal elections to an incarcerated offender. Directs the county auditor or municipal clerk to notify the county attorney if an applicant lists a correctional facility as an address. Directs DOC to implement procedures in line with this section.

- 3 Notice of restoration of right to vote.** Requires a written notice to be provided to an individual whose civil rights have been restored informing the individual of that fact. The contents of the notice is specified in the bill. The notice must be delivered by either the chief executive officer of a correctional facility, or by a probation officer or supervised release agent, upon release or discharge of an individual, if the individual's civil rights have been restored as provided by existing law.

This section also requires that the chief executive officer of state correctional facilities designate an official within the facility to provide the notice specified in this section. The official may also maintain voter registration applications and other material to accompany the notice.

A failure to provide the notice required by this section does not prevent restoration of an individual's civil rights.

- 4 Defendants; notice of loss of civil rights.** Requires the court to notify a defendant, on a felony-level offense, that a conviction or guilty plea for the offense will result in the defendant's civil rights being

rescinded until the sentence has been discharged.