



***Progressive bills and executive orders dealing with the  
voting rights of people with felony convictions***

Passed during the 2005 and 2006 Legislative Sessions

**Connecticut SB 66**

Before this bill was passed, people with felony convictions seeking to re-register needed to provide election officials with a Certificate of Discharge or other satisfactory proof that they had been released from prison or discharged from parole. The new law removes these documentation barriers and provides that the right to vote is automatically restored upon release from prison or discharge from parole.

**Florida HB 55/SB 432**

This bill requires administrators of county jails to provide inmates leaving those facilities with rights restoration applications. Under existing law, state correctional facilities are already required to provide such assistance. However, due to severe overcrowding in state prisons, a large number of people with felony convictions are serving their sentences in county jails. This bill ensures that individuals incarcerated in county jails are given rights restoration applications as well.

**Hawaii HB 2539/SB 2430**

In Hawaii, people convicted of felonies lose the right to vote only while incarcerated. This legislation notes that since sentencing may occur much later than at the time of conviction, data-sharing between the judiciary and county clerks about an individual's right to vote should happen only after that individual has been sentenced to imprisonment. Additionally, the bill requires the state's parole authorities to provide notice to county clerks of any grant or revocation of parole, so that the county clerk may restore or revoke a person's right to vote accordingly.

**Iowa Executive Order No. 42**

The Iowa Constitution disenfranchises people with felony convictions for life. However, Brennan Center legal analysis showed that the constitution also permits the Governor to restore voting rights to this group. To mark Independence Day on July 4, 2005, Governor Vilsack issued an executive order restoring the right to vote to some 80,000 Iowans who had completed their felony sentences. The order also provides for ongoing restorations as others finish probation or incarceration and parole.

### **Nebraska LB 53**

In 2005, based in part on a legal analysis by the Brennan Center, the state's unicameral legislature passed a bill that repealed permanent felony disenfranchisement in favor of restoration two years after the completion of sentence.

### **Rhode Island SB 2486/HB 7938 & HJR 6579**

Rhode Island currently disenfranchises all people with felony convictions while they are in prison or on parole or probation. The Brennan Center drafted a resolution to amend the state's Constitution to re-enfranchise people immediately upon release from prison. The legislature passed this resolution and the people of Rhode Island will vote on the amendment by referendum in November 2006.

The Center also drafted a comprehensive companion bill to implement the constitutional amendment. The bill requires that people with felony convictions be notified of the loss and restoration of their voting rights, that criminal justice agencies provide assistance with voter registration and voting by absentee ballot, and that corrections and elections agencies share the data necessary to verify voter eligibility. The companion bill passed both houses of the legislature and was enacted without the Governor's signature in early July. If the referendum passes in the fall, the implementing legislation will go into effect at that time.

### **Tennessee SB 1678/HB 1722**

Tennessee disenfranchisement and restoration laws are among the most confusing in the nation. This bill represents a step forward, as it standardizes the restoration process and eliminates any adversarial proceeding. Now, any person convicted of an infamous crime, except some of those convicted of murder, treason, rape, voter fraud, and sexual offenses, receives a certificate of discharge upon completion of their maximum prison sentence or their probation or parole terms. This certificate verifies that the individual is qualified to register and vote. However, the new legislation also requires people to pay all restitution and be current in child support payments before becoming eligible to register and vote. We will be working with state advocates to fix some of these more problematic provisions and to further streamline the restoration process in the upcoming legislative session.

### **Utah SB 47**

This bill amended the law so that individuals with out-of-state or federal felony convictions would be subject to the same rights restoration laws as those convicted within Utah. Because of this legislation, any person convicted of a felony is allowed to vote while on probation or parole, or after completing his entire prison sentence, regardless of whether the conviction was in a Utah court, a federal court, or a court of another state..