
**State Government Operations &
Accountability Committee**

HB 2062

Brief Description: Tracking the voter registration of former felons.

Sponsors: Representatives Darneille, Nixon, Simpson, Hunt, Upthegrove, Green, Chase, Dickerson, Moeller, Flannigan, Pettigrew, O'Brien, Kagi and Santos.

Brief Summary of Bill

- Restores a convicted felon's right to vote if he or she has completed all the requirements of his or her sentence except payment of legal financial obligations.

Hearing Date: 2/28/05

Staff: Jim Morishima (786-7191).

Background:

The Washington State Constitution prohibits people convicted of an "infamous crime" from voting unless restored their civil rights. "Infamous crime" is defined as a crime punishable by death or imprisonment in a state correctional facility; i.e., a felony.

A criminal sentence pursuant to a felony conviction may include: A term of incarceration, a term of supervision in the community (community custody), an obligation to pay legal financial obligations (LFOs), or a combination of incarceration, community custody, and LFOs. Legal financial obligations can include victim restitution, crime victims' compensation fees, costs of defense, court appointed attorneys fees, and fines.

If a person completes all the requirements of his or her sentence while under the supervision of the Department of Corrections (DOC), the DOC must notify the sentencing court. If the person completes all the requirements of his or her sentence, except payment of LFOs, the DOC must notify the county clerk. Once the person has completed payment of his or her LFOs, the county clerk must then notify the sentencing court. When the court receives adequate notification that the offender's sentence has been completed, it must issue the person a certificate of discharge, which restores most of the person's civil rights, including the right to vote.

Summary of Bill:

A person who has completed all the requirements of his or her sentence except for the payment of LFOs must have his or her right to vote restored. The restoration of voting rights does not affect

the underlying obligation to pay the LFOs, any no-contact or restraining order issued against the person, or the person's ability to obtain a certificate of discharge.

When a person's voting rights have been restored, the DOC must immediately transmit the information to the Secretary of State along with information about the county where the conviction occurred and the county of the person's last known residence. The Secretary of State must maintain the information in the elections data base and must transmit the information regarding the restoration of the person's voting rights to the county auditor of the county where the conviction took place, and, if different, the county where the felon was last known to reside.

When the DOC notifies the county clerk that a person has completed all requirements of his or her sentence except payment of LFOs, the county clerk must notify the Secretary of State that the person's voting rights have been restored.

Appropriation: None.

Fiscal Note: Requested on February 24, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.