

# SENATE BILL REPORT

## SB 6519

---

---

As of January 28, 2002

**Title:** An act relating to restoring voting rights to felons upon completion of supervision.

**Brief Description:** Specifying when voting rights may be restored for felons.

**Sponsors:** Senators Kline, Hochstatter, Prentice, Thibaudeau, Regala, Kohl-Welles and Winsley.

**Brief History:**

**Committee Activity:** Judiciary: 1/29/02.

---

### SENATE COMMITTEE ON JUDICIARY

**Staff:** Aldo Melchiori (786-7439)

**Background:** All persons convicted of infamous crimes are disqualified from voting unless their civil rights have been restored. "Infamous crimes" are those punishable by death or imprisonment in a state correctional facility.

When an offender has completed the requirements of his or her sentence, including legal financial obligations, the Department of Corrections notifies the sentencing court by sending a certificate of discharge. The judge signs the certificate ex parte and returns it to the court clerk who then files the certificate in the case file and sends a copy to the Department of Corrections. The discharge restores all civil rights lost by operation of law upon conviction and terminates the sentencing court's jurisdiction to enforce the requirements of the sentence. The court is directed provide the offender with the certificate of discharge.

For federal or out-of-state felony convictions, offenders may petition the Clemency and Pardons Board for the restoration of their voting rights. The board then makes recommendations to the Governor. The Indeterminate Sentencing Review Board (ISRB) issues the certificates of discharge for offenders convicted prior to the adoption of the Sentencing Reform Act. The ISRB mails the certificates to the offenders after they have completed their three years of probation.

**Summary of Bill:** Offenders who complete all of the requirements of their sentences, except for legal financial obligations, are issued a certificate of restoration of the right to vote by either the Department of Corrections (DOC), the Clemency and Pardons Board, or the ISRB. Certificates of restoration are also issued to offenders who completed all of the requirements of their sentences, other than legal financial obligations, prior to the effective date of the act.

Only the right to vote is restored. The certificate of restoration does not effect or prevent the enforcement of legal financial obligations or the offender's obligation to comply with no contact orders contained in a judgment and sentence.

Certificates of restoration are either provided to the offender in person or by mail to the offender's last known address. The certificates are also sent to the Secretary of State and the county auditor for the county of the offender's last known address. DOC maintains easily accessible records of the certificates.

**Appropriation:** None.

**Fiscal Note:** Requested on January 22, 2002.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.