
**State Government & Tribal
Affairs Committee**

HB 1473

Brief Description: Changing requirements for the restoration of the right to vote for people convicted of felonies.

Sponsors: Representatives Darneille, Williams, Pettigrew, Kenney, Appleton, Hunt, Santos, McDermott, Upthegrove, Wood, Miloscia, Pedersen, Ormsby, Green, Hasegawa, Hudgins, Flannigan, Chase, Kagi, Moeller, Roberts, Schual-Berke, Dickerson and Lantz.

Brief Summary of Bill

- Restores a convicted felon's right to vote if he or she is not in total confinement in the custody of the Department of Corrections (DOC) or the Federal Bureau of Prisons.

Hearing Date: 1/31/07

Staff: Alison Hellberg (786-7152).

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.

A county auditor must cancel a person's voter registration upon receiving official notice of that person's conviction from a state or federal court. The Secretary of State, in conjunction with appropriate state agencies, arranges for a quarterly comparison of a list of known felons with the statewide voter registration list. If a match is found, the Secretary of State or county auditor suspends the voter registration and sends notice of the proposed cancellation to the last known registration address. If the person does not respond within 30 days, the registration is cancelled.

A criminal sentence pursuant to a felony conviction may include: a term of incarceration, 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

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

restitution, crime victims' compensation fee, 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 DOC, the DOC must notify the sentencing court. If the person completes all the requirements of his or her sentence, except payments 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 convicted felon's right to vote is restored so long as the person is not in total confinement in the custody of the DOC or the Federal Bureau of Prisons, whether serving the original sentence or serving time for a violation of supervision conditions.

At least twice a year, the Secretary of State shall compare the list of registered voters to a list of felons in total confinement. If a registered voter is found to be in total confinement, the Secretary of State or county auditor suspends the voter registration after confirming the match through a date of birth comparison. The cancelling authority shall send a notice of the proposed cancellation and an explanation of the requirements for restoring the right to vote and re-registering to the last known voter registration address and the DOC. If the person does not respond within 30 days, the registration must be cancelled.

Appropriation: None.

Fiscal Note: Available.

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