

# HOUSE BILL REPORT

## SB 5207

---

**As Passed House:**  
April 9, 2019

**Title:** An act relating to notification of felony voting rights and restoration.

**Brief Description:** Concerning notification of felony voting rights and restoration.

**Sponsors:** Senators Dhingra, Hunt, Saldaña, Darneille, Das, Cleveland, Kuderer, Pedersen, Salomon, Nguyen, Rolfes, Hasegawa, Keiser and Randall.

**Brief History:**

**Committee Activity:**

State Government & Tribal Relations: 3/7/19, 3/22/19 [DP].

**Floor Activity:**

Passed House: 4/9/19, 76-21.

**Brief Summary of Bill**

- Requires the Department of Corrections (DOC) to provide written notice to an inmate, prior to their release from the DOC's authority, of the process for provisional and permanent restoration of voting rights.
- Requires the DOC to provide the inmate with a voter registration form, written instructions for returning the form by mail, and written information concerning registering to vote in person and electronically.

---

### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

**Majority Report:** Do pass. Signed by 7 members: Representatives Gregerson, Chair; Pellicciotti, Vice Chair; Walsh, Ranking Minority Member; Appleton, Dolan, Hudgins and Smith.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Mosbrucker.

**Minority Report:** Do not pass. Signed by 1 member: Representative Goehner, Assistant Ranking Minority Member.

---

*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.*

**Staff:** Desiree Omli (786-7105).

**Background:**

Under the state Constitution, all persons convicted of an infamous crime lose their right to vote, unless their civil rights have been restored. An infamous crime is a crime punishable by death in the state penitentiary or imprisonment in a state or federal correctional facility. However, an infamous crime does not include an adjudication in juvenile court or a conviction for a misdemeanor or gross misdemeanor; it is therefore a felony.

Upon a felony conviction, the court requires that the convicted person sign a statement acknowledging, among other things, that the person's right to vote has been lost, his or her voter registration will be canceled, the ways in which the person's right to vote will be restored, and that the person must reregister before voting.

After a felony conviction that is entered in a state court in Washington, a person's right to vote is provisionally restored as long as the person is not under the authority of the Department of Corrections (DOC). A person is under the authority of the DOC if the person is:

- serving a sentence of confinement in the custody of the DOC; or
- subject to community custody, which is the portion of a person's sentence of confinement in lieu of earned release time or imposed as part of a sentence and served in the community subject to controls placed on the person's movement and activities by the DOC.

A person may have the provisional restoration of their voting rights revoked if a sentencing court determines that a person willfully failed to comply with the terms of his or her order to pay legal financial obligations.

A person's right to vote may then be permanently restored by any of the following for each felony conviction:

- a certificate of discharge issued by the sentencing court;
- a court order restoring the right;
- a final order of discharge issued by the Indeterminate Sentence Review Board; or
- a certificate of restoration issued by the Governor.

For a person convicted of a felony by a federal court or a state court other than a Washington state court, their right to vote is restored as long as they are no longer incarcerated.

**Summary of Bill:**

The DOC must provide written notice to an inmate, prior to their release from the DOC's authority, of the process for provisional and permanent restoration of voting rights. The DOC must also provide the inmate with a voter registration form, written instructions for returning the form by mail, and written information concerning registering to vote in person and electronically.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) None.

(Opposed) None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.