

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: SRC DATE TYPED: 03/01/01 HB _____
SHORT TITLE: Restore Voting Rights SB CS/204/aSJC
ANALYST: Woodlee

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates Senate Joint Resolution 8.

SOURCES OF INFORMATION

LFC Files
Secretary of State

SUMMARY

Synopsis of SJC Amendment

The Senate Judiciary Committee amendment for SRC Substitute for Senate Bill 204 makes technical changes to the bill. The amendment ensures that references to a felon being “registered” means “registered to vote.” Also, the amendment clarifies that the clerk of the court shall notify the county clerk of the county where the convicted felon is registered to vote.

Synopsis of Substitute Bill

The Senate Rules Committee Substitute for Senate Bill 204 amends the Election Code and allows for a convicted felon to have full voting rights upon completion of probation or parole requirements.

Significant Issues

The bill provides for a process of canceling an individual’s voter registration following a felony conviction. In addition, the bill provides that after the conditions of probation or parole have been met by the individual, the state or federal institution will notify the Secretary of State and the Clerk of the County in which he or she resides. The bill proposes to not allow a person who has been convicted of a felony to be permitted to vote in any statewide, county, municipal, or district election unless they:

Senate Bill CS/204/aSJC -- Page 2

1. Have satisfactorily completed the terms of a suspended or deferred sentence imposed by a court;
2. Was unconditionally discharged from a state correctional facility and has satisfactorily completed all conditions of probation or parole;
3. Was unconditionally discharged from a federal correctional facility and has satisfactorily completed all conditions of probation or parole; or
4. Has presented the Governor with a certificate verifying the completion of the sentence and was granted a pardon or a certificate by the Governor restoring full rights of citizenship.

The bill provides that after serving the entire sentence, including probation or parole, the individual must request a certificate of completion, which is to be presented to the county clerk. In addition to this certificate, the county clerk may accept a judgement or sentence from a court which shows completion of the sentence or a certificate of completion from another state or the federal government. Also, the bill indicates a convicted felon shall not be permitted to hold an office of public trust for the state, a county, a municipality or a district unless the person has presented the Governor with a certificate, as in item 4 above.

The bill provides for penalties and exception for allowing prisoners to vote.

FISCAL IMPLICATIONS

There is no appropriation contained within this bill.

CONFLICT/DUPLICATION/COMPANIONSHIP/RELATIONSHIP

Senate Rules Committee Substitute for Senate Bill 204 is a companion to Senate Joint Resolution 8 which proposes a constitutional amendment to allow persons convicted of a felony to vote.

MW/ar