

FEB 24 1999  
STATE GOVERNMENT

HOUSE FILE

**369**

BY FORD

*3/1/99 Sponsor added Fallon*

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the process for restoring for certain persons  
2 the right to register to vote and to vote.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**HF 369**

1 Section 1. Section 48A.6, subsection 1, Code 1999, is  
2 amended to read as follows:

3 1. A person who has been convicted of a felony as defined  
4 in section 702.7, or convicted of an offense classified as a  
5 felony under federal law. ~~If~~ When the person's rights are  
6 later restored ~~by the governor or by the president of the~~  
7 United States, pursuant to section 914.8, the person may  
8 register to vote.

9 Sec. 2. Section 914.2, Code 1999, is amended to read as  
10 follows:

11 914.2 RIGHT OF APPLICATION.

12 Except as otherwise provided in section 902.2 or 914.8, a  
13 person convicted of a criminal offense has the right to make  
14 application to the board of parole for recommendation or to  
15 the governor for a reprieve, pardon, commutation of sentence,  
16 remission of fines or forfeitures, or restoration of rights of  
17 citizenship at any time following the conviction.

18 Sec. 3. Section 914.6, subsection 3, Code 1999, is amended  
19 to read as follows:

20 3. In the case of a remission of fines and forfeitures,  
21 restoration of rights of citizenship other than the right to  
22 register to vote and to vote, or a pardon, commutation of  
23 sentence, or reprieve, if the person is not in custody, one  
24 copy of the executive instrument shall be delivered to the  
25 person and one copy to the clerk of the district court where  
26 the judgment is of record. ~~A list of the restorations of~~  
27 ~~rights of citizenship issued by the governor shall be~~  
28 ~~delivered to the state registrar of voters at least once each~~  
29 ~~month.~~

30 Sec. 4. NEW SECTION. 914.8 RESTORATION OF RIGHT TO  
31 REGISTER AND TO VOTE.

32 1. A person convicted of a felony criminal offense who has  
33 been discharged from probation under section 907.9, discharged  
34 from parole under section 906.15, or who is released from  
35 confinement under section 902.6 because the person has

1 completed the person's term of confinement shall have the  
2 right to register to vote and to vote restored in the manner  
3 provided in this section.

4 2. The board of parole shall be responsible for the  
5 issuance of certificates of restoration of the right to  
6 register to vote and to vote. Each month the board shall  
7 issue such certificates in the names of persons who have been  
8 discharged from probation or parole or who are scheduled to be  
9 released in the following month. A certificate of restoration  
10 shall be issued by the board of parole in triplicate to the  
11 officer having custody of or who is or was responsible for  
12 supervision of the person. The officer, upon receipt of the  
13 certificates, shall do all of the following:

14 a. Retain one copy of the certificate.

15 b. Enter the appropriate notations on the records of the  
16 office.

17 c. On one copy, make a written return as required by the  
18 order and forward the copy to the clerk of the district court  
19 where the judgment is of record.

20 d. Deliver the third copy to the person, if the person is  
21 in custody, upon that person's release from custody.

22 3. If the person is not in custody, one copy of the  
23 certificate shall be delivered to the person and one copy to  
24 the clerk of the district court where the judgment is of  
25 record.

26 4. A list of restorations of right to register to vote and  
27 to vote issued by the board shall be delivered to the state  
28 registrar of voters at least once each month in the month  
29 following issuance of such restoration certificates.

30 5. The clerk of the district court, upon receipt of the  
31 copy of the certificate of restoration of right to register to  
32 vote and to vote, shall immediately file and preserve the copy  
33 in the clerk's office and note the filing on the judgment  
34 docket of the case.

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EXPLANATION

1 This bill makes restoration of the right to register to  
2 vote and to vote automatic upon a person's release from  
3 probation, parole, or upon completion of the person's term of  
4 confinement. The bill makes the board of parole responsible  
5 for issuing certificates of restoration. The bill provides  
6 that the board is to send three copies of the certificate of  
7 restoration to the officer having custody of the person. The  
8 officer is to retain one copy, send one copy to the  
9 appropriate clerk of the district court, and deliver one copy  
10 to the person upon the person's release from custody.

11 The bill requires the board of parole to, once each month,  
12 send a list of those persons receiving certificates of  
13 restoration in the previous month to the state registrar of  
14 voters.

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