

FEB 12 2003
STATE GOVERNMENT

HOUSE FILE 178
BY BERRY and SHOULTZ

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the restoration of the right to vote for
2 certain persons.

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

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HF 178

1 Section 1. Section 48A.6, subsection 1, Code 2003, is
2 amended to read as follows:

3 1. A person who has been convicted of a felony as defined
4 in section 701.7, 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 2003, 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 2003, 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 or work release under section 906.15, or who is
35 released from confinement under section 902.6 because the

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

4 2. Upon discharge from confinement or supervision, the
5 department of corrections or judicial district department of
6 correctional services, whichever is applicable, shall provide
7 written notice to the inmate, parolee, or probationer of the
8 person's discharge which shall include a statement that the
9 person's right to register to vote and to vote has been
10 restored.

11 3. The department of corrections shall monthly provide a
12 list of all persons discharged from confinement or supervision
13 to the state registrar of voters who shall provide the
14 information to the county registrars of voters as deemed
15 necessary.

16 EXPLANATION

17 This bill makes restoration of the right to register to
18 vote and to vote automatic upon a person's release from
19 probation, parole, or work release, or upon completion of the
20 person's term of confinement.

21 The bill requires the department of corrections or the
22 judicial district department of correctional services to
23 provide written notice of restoration of voting rights to
24 persons upon discharge from confinement or supervision.

25 The bill requires the department of corrections to send,
26 once each month, a list of those persons discharged from
27 confinement or supervision to the state registrar of voters.

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