HOUSE FILE 2570

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 550)

Passed House, Date _____   Passed Senate, Date _____

Vote: Ayes _____ Nays _____   Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to powers of the governor to grant reprieves,
2   commutations, and pardons including restoration of rights of
3   citizenship, and to remit fines and forfeitures and including
4   effective and retroactive applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HF 2570

TLSB 5260HV 81
sc/je/5

1   Section 1. Section 914.1, Code 2005, is amended to read as
2 follows:
3   914.1 POWER OF GOVERNOR.
4   The power of the governor under the constitution to grant a
5 reprieve, pardon, commutation of sentence, remission of fines
6 and forfeitures, or restoration of the rights of citizenship
7 shall not be impaired, subject to regulations as provided by
8 law. The power of the governor to grant a reprieve, pardon,
9 commutation of sentence, remission of fines and forfeitures,
10 or restoration of the rights of citizenship shall be exercised
11 only as provided in this chapter.
12   Sec. 2. DUTY OF COUNTY AUDITOR. The county auditor of
13 each county is directed to cancel the registration of any
14 person who registered to vote between July 4, 2005, and the
15 effective date of this Act if the person indicated on the
16 voter registration application form that the person had been
17 convicted of a felony. The county auditor shall notify such
18 persons of the cancellation of registration. Any person whose
19 registration has been canceled in this manner shall be allowed
20 to register to vote if the person produces for inspection by
21 the auditor the executive instrument issued by the governor
22 restoring that individual person's rights of citizenship.
23   Sec. 3. RETROACTIVE APPLICABILITY. This Act, being deemed
24 of immediate importance, takes effect upon enactment and
25 applies retroactively to July 4, 2005.
26   EXPLANATION
27   Article IV, section 16, of the constitution of the state of
28 Iowa gives the governor the power to grant reprieves,
29 commutations, and pardons (including restoration of
30 citizenship rights), and to remit fines and forfeitures, all
31 "subject to such regulations as may be provided by law". Code
32 chapter 914 ("Reprieves, Pardons, Commutations, Remissions,
33 and Restorations of Rights") provides the procedure by which
34 the governor exercises this power.
35   This bill amends Code chapter 914 to provide that the

1 governor shall exercise this power only as provided under Code
2 chapter 914.
3   The bill takes effect upon enactment and applies
4 retroactively to July 4, 2005. The bill directs each county
5 auditor to cancel the voter registration of any person who
6 registered between July 4, 2005, and the effective date if the
7 person indicated on the voter registration application that
8 the person had been convicted of a felony. If such a person
9 whose registration has been canceled produces an executive
10 instrument restoring that individual person's rights of
11 citizenship, the person will be allowed to register to vote
12 again.
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Succeeded By
SF / HF 2570

HSB 550
PUBLIC SAFETY

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
    PUBLIC SAFETY BILL BY
    CHAIRPERSON BAUDLER)

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

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