

House Joint Resolution 2007 - Introduced

HOUSE JOINT RESOLUTION 2007

BY WOLFE and HEARTSILL

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1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to persons convicted of an
3 infamous crime.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 5 of Article II of the Constitution of the State of
4 Iowa, as amended by the amendment of 2008, is amended to read
5 as follows:

6 **Disqualified persons.** SEC. 5. A person adjudged mentally
7 incompetent to vote ~~or a person convicted of any infamous crime~~
8 shall not be entitled to the privilege of an elector.

9 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
10 amendment to the Constitution of the State of Iowa is referred
11 to the general assembly to be chosen at the next general
12 election for members of the general assembly, and the secretary
13 of state is directed to cause the proposed amendment to be
14 published for three consecutive months previous to the date of
15 that election as provided by law.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This joint resolution proposes an amendment to the
20 Constitution of the State of Iowa relating to disqualifications
21 of certain electors. Under Article II, section 5, of the Iowa
22 Constitution, a person convicted of any infamous crime is not
23 entitled to the privilege of an elector. Under Code section
24 39.3(6), an "elector" is defined to mean a person who possesses
25 all of the qualifications necessary to entitle the person to be
26 registered to vote. Under the amendment, a person convicted
27 of an infamous crime would not be constitutionally barred from
28 registering to vote.

29 The amendment does not change the definition of "infamous
30 crime" in Code section 39.3(8) which is defined to mean
31 a felony as defined in Code section 701.7, or an offense
32 classified as a felony under federal law.

33 The resolution, if adopted, would be published and then
34 referred to the next general assembly (88th) for adoption,
35 before being submitted to the electorate for ratification.