

Senate File 2348 - Introduced

SENATE FILE 2348
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2129)

A BILL FOR

1 An Act relating to the restoration of voting rights to certain
2 convicted persons and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 48A.6, subsection 1, Code 2020, 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
5 a felony under federal law, and who has not discharged the
6 person's sentence as provided in section 48A.6A. If the
7 person's rights are later restored by the governor, or by the
8 president of the United States, the person may register to
9 vote.

10 Sec. 2. NEW SECTION. **48A.6A Discharge of sentence —**
11 **definition.**

12 A person shall not be considered to have discharged a
13 sentence for purposes of Article II, section 5, of the
14 Constitution of the State of Iowa and section 48A.6 unless the
15 person has done all of the following:

16 1. Completed any term of confinement, parole, and
17 probation, and completed any special sentence imposed pursuant
18 to chapter 903B.

19 2. For an offense under chapter 707, received a pardon or
20 restoration of rights from the governor.

21 3. Paid all pecuniary damages imposed pursuant to chapter
22 910, as confirmed by the clerk of the court.

23 Sec. 3. CONTINGENT EFFECTIVE DATE. This Act takes effect
24 upon the ratification of a constitutional amendment originating
25 in a resolution passed during the eighty-eighth general
26 assembly relating to the restoration of the voting rights of
27 felons upon the discharge of a criminal sentence pursuant to
28 Article X, section 1, of the Constitution of the State of Iowa.

29 Sec. 4. CONTINGENT REPEAL DATE. This Act is repealed if
30 a constitutional amendment relating to the restoration of
31 the voting rights of felons upon the discharge of a criminal
32 sentence is not ratified pursuant to Article X, section 1, of
33 the Constitution of the State of Iowa prior to January 1, 2023.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to the definition of a discharge
3 of a criminal sentence for the purposes of the automatic
4 restoration of a convicted person's voting rights pursuant to
5 a constitutional amendment originating in a resolution passed
6 during the 88th general assembly relating to the restoration of
7 the voting rights of felons upon the discharge of a criminal
8 sentence. If the constitutional amendment contained in such
9 a resolution is ratified by the electors pursuant to Article
10 X, section 1, of the Constitution of the State of Iowa, the
11 bill becomes effective and defines the discharge of a criminal
12 sentence as including all of the following: the completion of
13 confinement, parole, and probation, and any special sentence
14 imposed pursuant to Code chapter 903B (sex offender special
15 sentencing and hormone treatment); the receipt of a pardon or a
16 restoration of rights from the governor for an offense under
17 Code chapter 707 (homicide and related crimes); and the payment
18 of all pecuniary damages imposed pursuant to Code chapter
19 910 (restitution). The bill is repealed if a constitutional
20 amendment relating to the restoration of the voting rights
21 of felons upon the discharge of a criminal sentence is not
22 ratified prior to January 1, 2023.