

House Study Bill 231 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

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 2021, 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](#), the offense of child
20 endangerment resulting in the death of a child or minor under
21 [section 726.6](#), or election misconduct in the first degree under
22 [section 39A.2](#), received a pardon or restoration of rights from
23 the governor.

24 3. Paid all pecuniary damages owed to a natural person
25 imposed pursuant to [chapter 910](#), as confirmed by the clerk of
26 the court.

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

33 Sec. 4. **CONTINGENT REPEAL DATE.** This Act is repealed if
34 a constitutional amendment relating to the restoration of
35 the voting rights of felons upon the discharge of a criminal

1 sentence is not ratified pursuant to Article X, section 1, of
2 the Constitution of the State of Iowa prior to January 1, 2025.

3 EXPLANATION

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

6 This bill relates to the definition of a discharge
7 of a criminal sentence for the purposes of the automatic
8 restoration of a convicted person's voting rights pursuant to
9 a constitutional amendment originating in a resolution passed
10 during the 89th general assembly relating to the restoration of
11 the voting rights of felons upon the discharge of a criminal
12 sentence. If the constitutional amendment contained in such
13 a resolution is ratified by the electors pursuant to Article
14 X, section 1, of the Constitution of the State of Iowa, the
15 bill becomes effective and defines the discharge of a criminal
16 sentence as including all of the following: the completion of
17 confinement, parole, and probation, and any special sentence
18 imposed pursuant to Code chapter 903B (sex offender special
19 sentencing and hormone treatment), the offense of child
20 endangerment resulting in the death of a child or minor, or
21 election misconduct in the first degree; the receipt of a
22 pardon or a restoration of rights from the governor for an
23 offense under Code chapter 707 (homicide and related crimes);
24 and the payment of all pecuniary damages owed to a natural
25 person imposed pursuant to Code chapter 910 (restitution). The
26 bill is repealed if a constitutional amendment relating to the
27 restoration of the voting rights of felons upon the discharge
28 of a criminal sentence is not ratified prior to January 1,
29 2025.