

SENATE BILL No. 138

By Senator Haley

2-4

AN ACT concerning elections; relating to restoration to felons of the right to vote; amending K.S.A. 2002 Supp. 21-4615 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. This act shall be called the Kansas restoration of voting rights act.

New Sec. 2. (a) The legislature finds that:

(1) Kansas currently denies the right to vote to all persons who have been convicted of a felony.

(2) The current disenfranchisement law has a disproportionate impact on minorities, especially African-American and Latino men.

(3) Voting is part of the fabric of our democracy. Restoring the right to vote helps reintegrate exfelons into society and, by increasing voter participation, in the voting process.

(b) This law is enacted to help exfelons become productive members of society, and strengthen democratic institutions by increasing participation in the voting process.

New Sec. 3. (a) A person shall forfeit the right to vote in a federal, state or municipal election upon conviction of a felony and confinement to a federal or state correctional institution in the United States.

(b) A person who has been convicted of a felony and confined to a federal or state correctional institution in the United States shall be restored the right to vote in a federal, state or municipal election when such person has been discharged from confinement and completed the term of such person's authorized sentence.

(c) When a person is restored the right to vote, the department of corrections shall provide to such person a document certifying that such person is eligible to vote and instructions on how to register to vote. The department of corrections shall develop such certification document in conjunction with the secretary of state.

(d) On or before the 15th day of each calendar month, the department of corrections shall transmit to the secretary of state a list of the name, birth date and address of each person who has been convicted in any state or federal court of a felony and who has completed such person's

1 authorized sentence.

2 Sec. 4. K.S.A. 2002 Supp. 21-4615 is hereby amended to read as
3 follows: 21-4615. (1) A person who has been convicted in any state or
4 federal court of a felony shall, by reason of such conviction, be ineligible
5 to hold any public office under the laws of the state of Kansas, or to
6 register as a voter or to vote in any election held under the laws of the
7 state of Kansas or to serve as a juror in any civil or criminal case.

8 (2) The ineligibilities imposed by this section shall attach upon con-
9 viction and shall continue until such person has completed the terms of
10 the authorized sentence.

11 (3) *Upon completion of the authorized sentence, the ineligibilities of*
12 *this section shall no longer apply to such person. In addition, such person*
13 *shall be restored the right to vote in any federal, state, municipal or other*
14 *election in this state.*

15 (4) *The department of corrections shall furnish to the secretary of*
16 *state monthly a list of persons who have completed the terms of such*
17 *person's authorized sentence. The list required by this section shall comply*
18 *with the requirements of section 3 and amendments thereto.*

19 (5) The ineligibilities imposed upon a convicted person by this section
20 shall be in addition to such other penalties as may be provided by law.

21 Sec. 5. K.S.A. 2002 Supp. 21-4615 is hereby repealed.

22 Sec. 6. This act shall take effect and be in force from and after its
23 publication in the statute book.

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