

SESSION OF 2002

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2761

As Amended by House Committee on
Ethics and Elections

Brief*

HB 2761 amends the criminal code by eliminating a provision in current law that allows felons whose sentence does not involve commitment to the custody of the Secretary of Corrections, such as probation or conservation camps, to retain their civil rights. Civil rights would be restored when the felon has completed the terms of the authorized sentence.

The Committee amended the title of the bill.

Background

The Secretary of State requested this bill to clarify the voting rights of felons. KSA 21-4615 was amended in 1996 to say that a person loses the right to register, vote, hold public office, and serve as a juror upon conviction of a felony, and that those rights are restored when the person is discharged from custody. However, KSA 2001 Supp. 21-4603 and KSA 2001 Supp. 21-4603d state that a person convicted of a felony does not lose his or her civil rights if sentenced to dispositions not involving custody with the Department of Corrections. HB 2761 would resolve a contradiction in the language of three existing statutes and the State Constitution which states that no person convicted of a felony under the laws of any state or of the United States, unless pardoned or restored to his civil rights, shall be qualified to vote.

The Division of Budget's fiscal note indicated that passage of HB 2761 would have no fiscal impact on state revenues.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/cgi-bin/fulltext/bills.cgi>

