

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO ELECTIONS -- RHODE ISLAND RESTORATION OF VOTING RIGHTS ACT

Introduced By: Representatives Vella-Wilkinson, McEntee, Morales, and Batista

Date Introduced: January 27, 2023

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-9.2-3 of the General Laws in Chapter 17-9.2 entitled "Rhode
2 Island Restoration of Voting Rights Act" is hereby amended to read as follows:

3 **17-9.2-3. Restoration of voting rights.**

4 (a)(1) Except as provided otherwise in subsection (a)(2) of this section, ~~A~~ a person who
5 has lost the right of suffrage under Article II, Section 1 of the Constitution of Rhode Island because
6 of such person's incarceration upon a felony conviction shall be restored the right to vote when that
7 person is discharged from incarceration.

8 (2) Any person convicted of sedition, insurrection, rebellion, or a felony in relation to any
9 such act, shall permanently:

10 (i) Forfeit such person's rights to be an elector and such person's privileges as an elector in
11 the state;

12 (ii) Be prohibited from being a candidate for or holding public office in the state; and

13 (iii) Be prohibited from being employed by the state or any political subdivision thereof.

14 (b) Before accepting a plea of guilty or nolo contendere to a felony, and before imposing a
15 felony sentence after trial, the court shall notify the defendant that conviction will result in loss of
16 the right to vote only if and for as long as the person is incarcerated and that voting rights are
17 restored upon discharge.

18 (c) The department of corrections shall act as a voter registration agency in accordance

1 with § 17-9.1-8. In this capacity, and as part of the release process leading to a person's discharge
2 from a correctional facility, the department of corrections shall notify that person in writing that
3 voting rights will be restored, provide that person with a voter registration form and a declination
4 form, and offer that person assistance in filling out the appropriate form. Unless the registrant
5 refuses to permit it to do so, the department of corrections shall transmit the completed voter
6 registration form to the state board or local board where the registrant resides.

7 (d) The department of corrections shall, on or before the 15th day of each month, transmit
8 to the secretary of state two (2) lists. The first shall contain the following information about persons
9 convicted of a felony who, during the preceding period, have become ineligible to vote because of
10 their incarceration; the second shall contain the following information about persons convicted of
11 a felony who, during the preceding period, have become eligible to vote because of their discharge
12 from incarceration:

- 13 (1) name;
- 14 (2) date of birth;
- 15 (3) date of entry of judgment of conviction;
- 16 (4) description of offense;
- 17 (5) sentence.

18 (e) The secretary of state shall ensure that the statewide central voter registration is purged
19 of the names of persons who are ineligible to vote because of their incarceration upon a felony
20 conviction. The secretary of state shall likewise ensure that the names of persons who are eligible
21 and registered to vote following their discharge from incarceration are added to the statewide
22 central voter register in the same manner as all other names are added to that register.

23 (f) The secretary of state shall ensure that persons who have become eligible to vote
24 because of their discharge from incarceration face no continued barriers to registration or voting
25 resulting from their felony convictions.

26 (g) The secretary of state shall develop and implement a program to educate attorneys,
27 judges, election officials, corrections officials, and members of the public about the requirements
28 of this section, ensuring that:

29 (1) Judges are informed of their obligation to notify criminal defendants of the potential
30 loss and restoration of their voting rights in accordance with subsection (b) hereof.

31 (2) The department of corrections is prepared to assist people with registration to vote in
32 anticipation of their discharge from incarceration, including by forwarding completed voter
33 registration forms to the state board or local board where the registrant resides.

34 (3) The language on voter registration forms makes clear that people who have been

1 disqualified from voting because of felony convictions regain the right to vote when they are
2 discharged from incarceration.

3 (4) The state department of corrections is prepared to transmit to the secretary of state the
4 information specified in subsection (d) hereof.

5 (5) Probation and parole officers are informed of the change in the law and are prepared to
6 notify probationers and parolees that their right to vote is restored.

7 (6) Accurate and complete information about the voting rights of people who have been
8 charged with or convicted of crimes, whether disfranchising or not, is made available through a
9 single publication to government officials and the public.

10 (h) Voting rights shall be restored to all Rhode Island residents who have been discharged
11 from incarceration or who were never incarcerated following felony convictions, whether they were
12 discharged or sentenced before or after the effective date of this section, except as provided
13 otherwise in this section. Any notice of voter rights provided pursuant to this section shall
14 incorporate the provisions of §17-9.2-3(a)(2), where applicable.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- RHODE ISLAND RESTORATION OF VOTING RIGHTS
ACT

1 This act would provide that any person convicted of sedition, insurrection, rebellion, or a
2 felony in relation to any such act, would permanently forfeit such person's rights to be an elector
3 and such person's privileges as an elector, be prohibited from being a candidate for or holding
4 public office in the state, and be prohibited from being employed by the state or any political
5 subdivision thereof.

6 This act would take effect upon passage.

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