

Regular Session, 1997

SENATE BILL NO. 321

BY SENATOR MALONE

VOTERS/VOTING. Constitutional amendment to provide for disqualification from voting or holding office.

1 A JOINT RESOLUTION

2 Proposing to amend Article I, Section 10 of the Constitution of Louisiana,
3 relative to the right to vote; to prohibit convicted felons from voting or
4 holding office; and to specify an election for submission of the
5 proposition to electors and provide a ballot proposition.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of
7 the members elected to each house concurring, that there shall be submitted
8 to the electors of the state, for their approval or rejection in the manner
9 provided by law, a proposal to amend Article I, Section 10 of the Constitution
10 of Louisiana, to read as follows:

11 §10. Right to Vote; **Disqualification**

12 Section 10. **(A) Right to Vote.** Every citizen of the state, upon
13 reaching eighteen years of age, shall have the right to register and vote,
14 except that this right may be suspended while a person is interdicted
15 and judicially declared mentally incompetent ~~or is under an order of~~
16 ~~imprisonment for conviction of a felony.~~

1 **(B) Disqualification. The following persons shall not be**
2 **permitted to register, vote or hold office or appointment of honor,**
3 **trust, or profit in this state:**

4 **(1) Those persons who have been convicted within this state**
5 **of a felony, or who have been convicted under the laws of any other**
6 **state or of the United States or of any foreign government or**
7 **country of a crime which, if committed in this state, would be a**
8 **felony, and have not afterwards been pardoned with express**
9 **restoration of franchise either by the governor of this state or by the**
10 **officer of the state, nation, government or country having such**
11 **authority to pardon in the place where the person was convicted**
12 **and sentenced.**

13 **(2) Those actually under an order of imprisonment for**
14 **conviction of a felony.**

15 Section 2. Be it further resolved that this proposed amendment shall be
16 submitted to the electors of the state at the congressional primary election to
17 be held in 1998.

18 Section 3. Be it further resolved that on the official ballot to be used at
19 the election there shall be printed a proposition, upon which the electors of the
20 state shall be permitted to vote FOR or AGAINST, to amend the Constitution
21 of Louisiana, which proposition shall read as follows:

22 To prohibit convicted felons from voting or holding office and
23 to provide for expressed restoration of those rights by a
24 gubernatorial pardon. (Amends Article I, Section 10)

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tim Prather.

DIGEST

Present constitutional law provides for suspension of right to register and vote while a person is interdicted and judicially declared mentally incompetent or is under an order of imprisonment for conviction of a felony.

Proposed constitutional amendment prohibits convicted felons from voting or holding office. Provides for express restoration of rights by gubernatorial pardon. Specifies submission of the amendment to the voters at the congressional primary election in 1998.

(Amends Const. Art. I, Sec. 10)