

SB 321 BY SENATOR MALONE

DIGEST OF THE SENATE BILL AS IT LEFT THE SENATE

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 who have exhausted all legal remedies from seeking or holding an elected office. Provides for restoration of certain right by gubernatorial pardon. Specifies submission of the amendment to the voters at the congressional primary election in 1998.

Proposed constitutional amendment provides that a person who desires to seek or hold an elective office who has committed a felony and has served his sentence shall be permitted to seek or hold such office within 15 years from the date of the completion of the original sentence to the date of qualifying for candidacy.

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Clarifies that a convicted felon who was incarcerated and has completed his sentence and has not been pardoned may seek or hold elective office if the date of qualification for candidacy is more than 15 years after completion of the original sentence.
2. Provides that if such person was not incarcerated, but received probation, he would be permitted to qualify after successful completion of the probation period.

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