



General Assembly

Substitute Bill No. 5042

January Session, 2001

**AN ACT RESTORING VOTING RIGHTS OF CONVICTED FELONS
WHO ARE ON PROBATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-45 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) The [Judicial Department] Commissioner of Correction shall, on
4 or before the fifteenth day of each month, transmit to the Secretary of
5 the State a list of all persons who, during the preceding calendar
6 month, have been convicted in the Superior Court of [any crime for
7 which the privileges of an elector are forfeited] a felony and committed
8 to the custody of the Commissioner of Correction for confinement in a
9 correctional institution or facility or a community residence. Such lists
10 shall include the names, birth dates and addresses of such persons,
11 with the dates of their conviction and the crimes of which such persons
12 have been convicted. The Secretary of the State shall transmit such lists
13 to the registrars of the towns in which such convicted persons resided
14 at the time of their conviction and to the registrars of any towns where
15 the secretary believes such persons may be electors. The registrars of
16 such towns shall compare the same with the list of electors upon their
17 registry lists and, after written notice mailed by certified mail to each
18 of the persons named at [his] the last-known place of address of such
19 person, shall erase such names from the registry lists in their respective
20 towns or voting districts.

21 (b) Any person who procures [himself] such person or another to be
22 registered after having been disfranchised by reason of conviction of
23 crime and committed to the custody of the Commissioner of
24 Correction for confinement in a correctional institution or facility or a
25 community residence, and any person who votes at any election after
26 having forfeited [his] such privileges by reason of conviction of crime
27 and confinement, shall be fined not more than five hundred dollars
28 and imprisoned not more than one year.

29 Sec. 2. Section 9-46 of the general statutes is repealed and the
30 following is substituted in lieu thereof:

31 (a) A person shall forfeit [his] such person's right to become an
32 elector and [his] such person's privileges as an elector upon conviction
33 of a felony and committal to the custody of the Commissioner of
34 Correction for confinement in a correctional institution or facility or a
35 community residence, committal to confinement in a federal
36 correctional institution or facility, or committal to the custody of the
37 chief correctional official of any other state for confinement in a
38 correctional institution or facility or a community residence in such
39 state.

40 (b) No person who has forfeited and not regained [his] such
41 person's privileges as an elector, as provided in section 9-46a, as
42 amended by this act, may be a candidate for or hold public office.

43 Sec. 3. Section 9-46a of the general statutes is repealed and the
44 following is substituted in lieu thereof

45 (a) A person who has been convicted of a felony and committed to
46 confinement in a federal or other state correctional institution or
47 facility or community residence shall have [his] such person's electoral
48 privileges restored upon submission of written or other satisfactory
49 proof to the admitting official before whom [he] such person presents
50 his or her qualifications to be admitted as an elector, that all fines in
51 conjunction with the conviction have been paid and that [he] such
52 person has been discharged from confinement, and, if applicable,

53 parole. [or probation, as the case may be.]

54 (b) Upon the release from confinement in a correctional institution
55 or facility or a community residence of a person who has been
56 convicted of a felony and committed to the custody of the
57 Commissioner of Correction and, if applicable, the discharge of such
58 person from parole, (1) the person shall have the right to become an
59 elector, (2) the Commissioner of Correction shall give the person a
60 document certifying that the person has been released from such
61 confinement and, if applicable, has been discharged from parole, (3) if
62 the person was an elector at the time of such felony conviction and,
63 after such release and any such discharge, is residing in the same
64 municipality in which the person resided at the time of such felony
65 conviction, the person's electoral privileges shall be restored upon
66 submitting to an admitting official such document or other satisfactory
67 proof that the person has been released from such confinement and, if
68 applicable, discharged from parole, and (4) if the person was an elector
69 at the time of such felony conviction and, after such release and any
70 such discharge, is residing in a different municipality or if the person
71 was not an elector at the time of such felony conviction, the person's
72 electoral privileges shall be restored or granted upon submitting to an
73 admitting official (A) satisfactory proof of the person's qualifications to
74 be admitted as an elector, and (B) such document or other satisfactory
75 proof that the person has been released from confinement and, if
76 applicable, discharged from parole. The provisions of subdivisions (1)
77 to (4), inclusive, of this subsection shall not apply to any person
78 convicted of a felony for a violation of any provision of title 9 until
79 such person has been discharged from any parole or probation for
80 such felony.

81 [(b)] (c) The registrars of voters of the municipality in which a
82 person is admitted as an elector pursuant to subsection (a) or (b) of this
83 section, within thirty days after the date on which such person is
84 admitted, shall notify the registrars of voters of the municipality
85 wherein such person resided at the time of [his] such person's
86 conviction that [his] such person's electoral rights have been so

87 restored. [to him.]

88 [(c)] (d) The [Judicial Department, the] Commissioner of Correction
89 [and the Board of Parole] shall establish procedures to inform those
90 persons who have been convicted of a felony [, have been under the
91 jurisdiction of said department, commissioner or board] and
92 committed to the custody of said commissioner for confinement in a
93 correctional institution or facility or a community residence, and are
94 eligible to have their electoral privileges restored or granted pursuant
95 to subsection [(a)] (b) of this section, of the right and procedures to
96 have such privileges restored. The Office of Adult Probation shall,
97 within available appropriations, inform such persons who are on
98 probation on the effective date of this section of their right to become
99 electors and procedures to have their electoral privileges restored,
100 which shall be in accordance with subsections (b) and (c) of this
101 section.

102 (e) The Commissioner of Correction shall, on or before the fifteenth
103 day of each month, transmit to the Secretary of the State a list of all
104 persons convicted of a felony and committed to the custody of said
105 commissioner and who, during the preceding calendar month, have
106 been released from confinement in a correctional institution or facility
107 or a community residence and, if applicable, discharged from parole.
108 Such lists shall include the names, birth dates and addresses of such
109 persons, with the dates of their convictions and the crimes of which
110 such persons have been convicted. The Secretary of the State shall
111 transmit such lists to the registrars of the municipalities in which such
112 convicted persons resided at the time of their convictions and to the
113 registrars of any municipalities where the secretary believes such
114 persons may be electors.

115 Sec. 4. This act shall take effect January 1, 2002.

JUD JOINT FAVORABLE SUBST.

GAE JOINT FAVORABLE