

## **HB 2366 -1 STAFF MEASURE SUMMARY**

### **House Committee On Rules**

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**Prepared By:** Melissa Leoni, LPRO Analyst

**Meeting Dates:** 3/9

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#### **WHAT THE MEASURE DOES:**

Allows person convicted of a felony to register to vote, update voter registration, receive all elections materials, and vote in elections while incarcerated. Specifies that a person shall be considered registered to vote in the county where person resided prior to incarceration. Continues restriction on right to register to vote, update a registration, or vote in any election in this state for a person convicted of any crime committed outside of Oregon who is serving a term of imprisonment in any federal correctional institution located in Oregon. Allows Secretary of State (SOS) and Department of Corrections to establish by rule procedures to allow for persons convicted of felony to register to vote, update voter registration, and vote in elections while incarcerated. Allows SOS to authorize the preparation of ballots to conform with postal, military, correctional, or other state and federal statutes regarding the transportation and delivery of ballots to a jail, prison, or correctional facility. Takes effect 91st day following adjournment sine die.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Allows person convicted of any crime and serving a term of imprisonment in any federal correctional institution to register to vote, update a registration, or vote in any election in this state.

##### **BACKGROUND:**

Under ORS 137.281 a person sentenced to incarceration may not exercise the right to vote from the date of sentencing until the person is released from incarceration or the person's conviction is set aside. A person convicted of a felony may register to vote but may not vote while incarcerated.

ORS 137.281 also provides that a person convicted of any crime and serving a term of imprisonment in any federal correctional institution in this state is deprived of the rights to register to vote, update a registration, or vote in any election in this state from the date of sentencing until the person is discharged or paroled from imprisonment or the person's conviction is set aside.

According to the National Conference of State Legislatures, felons have never lost their right to vote, even while they are incarcerated, in the District of Columbia, Maine, and Vermont. Oregon is one of 18 states where felons lose their voting rights only while incarcerated, and then receive automatic restoration upon release.

House Bill 2366 allows a person convicted of a felony, except a person convicted of any crime committed outside of Oregon serving in any federal correctional institution in Oregon, to register to vote, update voter registration, receive all elections materials, and vote in elections while incarcerated and be considered registered in the county where the person resided prior to incarceration.