

SB 579 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Amie Fender-Sosa, LPRO Analyst

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 1/26

WHAT THE MEASURE DOES:

Allows a person convicted of a felony to exercise the right to vote. States that a person in custody shall be considered registered to vote in the county of their last voluntary residence. Specifies that a person who does not have prior established residence for voter registration purposes may not be considered to have changed or lost residence, and may register with the address of residence from before entering the correctional facility, including a residence described in ORS 247.005 (Registration of person who is homeless or resides in identifiable location). Directs Secretary of State to create rules to allow voter registration, updating of voter registration, and ballot casting for persons in custody.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Whether a felon can vote is a state policy choice. Historically, felons in the United States have lost their rights to vote, sometimes permanently, although the trend has been shifting. In Vermont, Maine and the District of Columbia, felons retain their right to vote, even while they are incarcerated. In 21 states, felons lose voting rights while incarcerated, and receive automatic restoration upon release. In 16 states, felons lose voting rights while incarcerated, and for a period of time after; voting rights are automatically restored after this time period. Some states require former felons to pay any outstanding fines, fees or restitution before their rights are restored. In 11 states, felons lose their voting rights indefinitely for certain crimes, or require a governor's pardon, face an additional waiting period after completion of sentence, or require other steps before voting rights can be restored.

Senate Bill 579 allows persons convicted of a felony to vote in elections while incarcerated and specifies residency determinations for voter registration.