

House Resolution 76

By: Representatives Brooks of the 63rd, Mangham of the 94th, Heard of the 114th, Abdul-Salaam of the 74th, Williams of the 165th, and others

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that persons who have been
 2 convicted of a felony involving moral turpitude may register to vote and vote upon release
 3 from confinement or while serving a period of probation or parole; to provide for notice to
 4 persons pleading guilty or nolo contendere to such an offense; to provide for notice to
 5 persons being released from confinement for such an offense; to provide for the submission
 6 of this amendment for ratification or rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article II, Section I, Paragraph III of the Constitution is amended by revising subparagraph
 10 (a) as follows:

11 "Paragraph III. *Exceptions to right to register and vote.* (a) No person who has been
 12 convicted of a felony involving moral turpitude may register, remain registered, or vote
 13 ~~except upon completion of the sentence~~ while serving a sentence of incarceration in a jail
 14 or prison facility as a result of such conviction. Such a person may register and vote upon
 15 being released from incarceration or while serving any period of probation or parole. The
 16 General Assembly shall enumerate those felonies involving moral turpitude subject to this
 17 paragraph. Before accepting a plea of guilty or nolo contendere to a felony involving
 18 moral turpitude, and before imposing a sentence after trial for a person convicted of a
 19 felony involving moral turpitude, the court shall notify the defendant that conviction will
 20 result in the loss of the right to vote only so long as the person is incarcerated and that
 21 voting rights are restored upon discharge. As a part if the process leading to the discharge
 22 of a person who has been disfranchised because of incarceration upon conviction of a
 23 felony involving moral turpitude, the Department of Corrections shall notify the person in
 24 writing that his or her voting rights will be restored and of the voter registration
 25 requirements and procedures."

26

SECTION 2.

27 The above proposed amendment to the Constitution shall be published and submitted as
28 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
29 above proposed amendment shall have written or printed thereon the following:

30 "() YES Shall the Constitution of Georgia be amended so as to authorize the General
31 () NO Assembly to provide that persons who have been convicted of a felony
32 involving moral turpitude may register to vote and vote upon release from
33 confinement or while serving a period of probation or parole, and to provide
34 notice to such persons?"

35 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
36 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
37 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
38 become a part of the Constitution of this state.