

HOUSE BILL NO. HB0075

Automatic restoration of the right to vote.

Sponsored by: Representative(s) Byrd, Barlow, Blake and
Pelkey and Senator(s) Driskill

A BILL

for

1 AN ACT relating to criminal procedure; amending
2 requirements for restoration of voting rights to persons
3 convicted of nonviolent felonies; repealing eligibility
4 requirements for certificates of restoration of rights; and
5 providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 7-13-105(b) (intro), (c) (i), (ii) and
10 (d) is amended to read:

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12 **7-13-105. Certificate of restoration of rights;**
13 **procedure for restoration in general; procedure for**
14 **restoration of voting rights for nonviolent felonies;**
15 **filing requirements.**

1

2 (b) The department of corrections shall issue a
3 certificate of restoration of voting rights as provided in
4 this subsection and subsection (c) of this section. Upon
5 issuance of a certificate, voting rights lost pursuant to
6 W.S. 6-10-106 shall be deemed restored. The department of
7 corrections shall automatically issue a person convicted of
8 a nonviolent felony ~~or nonviolent felonies arising out of~~
9 ~~the same occurrence or related course of events~~ a
10 certificate of restoration of voting rights ~~if:~~ if the
11 person has completed all of his sentence, including
12 probation and parole.

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14 (c) The department of corrections shall issue a
15 certificate of restoration of voting rights to eligible
16 persons as follows:

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18 (i) For persons convicted within Wyoming of a
19 nonviolent felony, ~~or nonviolent felonies arising out of~~
20 ~~the same occurrence or related course of events,~~ the
21 department shall ~~require an application for restoration~~
22 ~~before issuing a certificate to~~ identify eligible persons
23 who completed their sentence before January 1, 2016 and

1 issue a certificate of restoration of voting rights to each
2 eligible person. The department shall not require an
3 application for restoration before issuing a certificate to
4 eligible persons; ~~who complete their sentence after January~~
5 ~~1, 2016;~~

6
7 (ii) For persons convicted outside of Wyoming or
8 under federal law of a nonviolent felony, ~~or nonviolent~~
9 ~~felonies arising out of the same occurrence or related~~
10 ~~course of events,~~ the department shall ~~require an~~
11 ~~application for restoration before issuing a certificate to~~
12 ~~an eligible person~~ issue each eligible person a certificate
13 of restoration of voting rights upon receipt of a written
14 request on a form prescribed by the department and
15 following a determination that the person has completed his
16 sentence, including probation and parole.

17
18 (d) The ~~department's denial of~~ department of
19 correction's determination that a person is ineligible for
20 a certificate of restoration of voting rights is a final
21 action of the agency subject to judicial review. The clerk
22 of the district court and the division of criminal
23 investigation shall cooperate with the department of

1 corrections in providing information necessary for
2 determining a person's eligibility to receive a certificate
3 of restoration of voting rights. The department of
4 corrections shall notify the secretary of state when any
5 person's voting rights have been restored. If the person
6 was convicted in Wyoming, the department of corrections
7 shall submit the certificate of restoration of voting
8 rights to the clerk of the district court in which the
9 person was convicted and the clerk shall file the
10 certificate in the criminal case in which the conviction
11 was entered. If the person is a Wyoming resident at the
12 time the certificate of restoration of voting rights is
13 issued, the department of corrections shall notify the
14 county clerk in the county in which the person resides that
15 the person's voting rights have been restored.

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17 **Section 2.** W.S. 7-13-105(b)(i) through (iii) and
18 (e)(i) is repealed.

19

20 **Section 3.** This act is effective July 1, 2017.

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(END)