

HOUSE BILL NO. HB0075

Automatic restoration of the right to vote.

Sponsored by: Representative(s) Byrd, Barlow, Blake, Bovee,
Brown, Dayton and Pelkey and Senator(s) Case
and 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 certain
4 eligibility requirements for certificates of restoration of
5 rights; and 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:

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

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16 (i) For persons convicted within Wyoming of a
17 nonviolent felony or nonviolent felonies arising out of the
18 same occurrence or related course of events who completed
19 their sentence before January 1, 2010, the department shall
20 require ~~an application for restoration before issuing a~~
21 ~~certificate to eligible persons who~~ receipt of a written
22 request on a form prescribed by the department and issue
23 each eligible person a certificate of restoration of voting

1 rights following a determination that the person has
2 completed ~~their~~his sentence, ~~before January 1, 2016~~
3 including probation and parole. The department shall not
4 require an application for restoration before issuing a
5 certificate to eligible persons who complete their sentence
6 on and after January 1, ~~2016~~2010;

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

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

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

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14 **Section 2.** W.S. 7-13-105(b)(iii) is repealed.

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

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(END)