

1 AN ACT proposing an amendment to Section 145 of the Constitution of Kentucky
2 relating to restoration of rights.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. Are you in favor of amending Section 145 of the Constitution of
5 Kentucky to automatically restore the voting rights of persons who have been convicted
6 of a felony, not involving treason, bribery in an election, or election fraud, upon the
7 completion of any term of imprisonment, probation, or parole, and to automatically
8 restore their civil rights three years after the completion of any term of imprisonment,
9 probation, or parole, as stated below?

10 ➔Section 2. It is proposed that Section 145 of the Constitution of Kentucky be
11 amended to read as follows:

12 **(1)** Every citizen of the United States of the age of eighteen years who has resided
13 in the state one year, and in the county six months, and the precinct in which he ***or she***
14 offers to vote sixty days next preceding the election, shall be a voter in said precinct and
15 not elsewhere but the following persons are excepted and shall not have the right to
16 vote:[-]

17 **(a)**[-] Persons convicted in any court of competent jurisdiction of treason,[-~~or~~
18 ~~felony, or~~] bribery in an election, or ***election fraud***[- of such high misdemeanor as the
19 General Assembly may declare shall operate as an exclusion from the right of suffrage],
20 but persons hereby excluded may be restored to their civil rights by executive pardon.

21 **(b)**[-] Persons ***convicted in any court of competent jurisdiction of a felony,***
22 ***until completion of any term of imprisonment, probation, or parole, unless restored to***
23 ***their civil rights earlier by executive pardon.***

24 **(c)** ***Persons*** who, at the time of the election, are in confinement under the
25 judgment of a court for some penal offense.

26 **(d)**[-] ***Persons who have been determined by a court of competent***
27 ***jurisdiction to be mentally incompetent and who have not retained their voting rights***

1 or had those rights restored~~[Idiots and insane persons]~~.

2 (2) All persons convicted in any court of competent jurisdiction of a felony who
3 have not been previously restored to their civil rights by executive pardon shall have
4 their civil rights automatically restored three years after completion of any term of
5 imprisonment, probation, or parole.

6 (3) Persons who have had their right to vote or civil rights previously restored
7 under this section and who subsequently have been convicted in any court of
8 competent jurisdiction of any felony shall not have the right to vote until completion of
9 any term of imprisonment, probation, or parole for the subsequent offense unless they
10 are restored to their civil rights by executive pardon, and shall not have their civil
11 rights automatically restored until three years after completion of any term of
12 imprisonment, probation, or parole for the subsequent offense.

13 ➔Section 3. This amendment shall be submitted to the voters of the
14 Commonwealth for their ratification or rejection at the time and in the manner provided
15 for under Sections 256 and 257 of the Constitution, KRS 118.415, and Sections 4 and 5
16 of this Act.

17 ➔Section 4. Notwithstanding any provision in KRS 118.415 to the contrary, the
18 Secretary of State shall cause the question in Section 1 of this Act and the entirety of the
19 proposed amendment to the Constitution of Kentucky contained in Section 2 of this Act
20 to be published at least one time in a newspaper of general circulation published in this
21 state, and shall also cause to be published at the same time and in the same manner the
22 fact that the amendment will be submitted to the voters for their acceptance or rejection at
23 the next regular election at which members of the General Assembly are to be voted for.
24 The publication required by this section and KRS 118.415 shall be made no later than the
25 first Tuesday in August preceding the election at which the amendment is to be voted on.

26 ➔Section 5. Notwithstanding any provision in KRS 118.415 to the contrary, not
27 later than the second Monday after the second Tuesday in August preceding the next

1 regular election at which members of the General Assembly are to be chosen in a year in
2 which there is not an election for President and Vice President of the United States, or not
3 later than the Thursday after the first Tuesday in September preceding a regular election
4 in a year in which there is an election for President and Vice President of the United
5 States, the Secretary of State shall certify the question in Section 1 of this Act and the
6 entirety of the proposed amendment to the Constitution of Kentucky contained in Section
7 2 of this Act to the county clerk of each county, and the county clerk shall have the
8 entirety of the question and the amendment, as so certified, indicated on the ballots
9 provided to the voters in paper or electronic form as applicable to the voting machines in
10 use in each county or precinct.