

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 and civil rights of persons who have  
6 been convicted of a Class C or Class D felony not involving treason, bribery in an  
7 election, election fraud, a violent felony offense, a felony sexual offense, or a criminal  
8 offense against a child upon the completion of any sentence including imprisonment,  
9 probation, and 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. No person who is not a citizen of the United States shall be allowed to  
16 vote in this state. The following persons also shall not have the right to vote:

17 (a)~~[1.]~~ Persons convicted in any court of competent jurisdiction of treason,~~[or~~  
18 ~~felony, or]~~ bribery in an election, ***election fraud, a violent felony offense, a felony***  
19 ***sexual offense, a criminal offense against a child, or a Class A or Class B felony***~~[or of~~  
20 ~~such high misdemeanor as the General Assembly may declare shall operate as an~~  
21 ~~exclusion from the right of suffrage],~~ but persons hereby excluded may be restored to  
22 their civil rights by executive pardon.

23 (b)~~[2.]~~ Persons ***convicted in any court of competent jurisdiction of a felony***  
24 ***until completion of any sentence including imprisonment, probation, and parole,***  
25 ***exclusive of restitution, fines, and any other court ordered monetary conditions, unless***  
26 ***restored to their civil rights earlier by executive pardon.***

27 (c) ***Persons*** who, at the time of the election, are in confinement under the

1 judgment of a court for some penal offense.

2 ~~(d)~~<sup>[3.]</sup> Persons who have been determined by a court of competent  
3 jurisdiction to be mentally incompetent and who have not retained their voting rights  
4 or had those rights restored~~[Idiots and insane persons].~~

5 (2) Persons convicted in any court of competent jurisdiction of a felony which  
6 does not involve treason, bribery in an election, election fraud, a violent felony offense,  
7 a felony sexual offense, a criminal offense against a child, or a Class A or Class B  
8 felony who have not been previously restored to their civil rights by executive pardon  
9 shall have their civil rights automatically restored after completion of any sentence  
10 including imprisonment, probation, and parole.

11 (3) Persons who have had their right to vote or civil rights previously restored  
12 under this section and who subsequently have been convicted in any court of  
13 competent jurisdiction of any felony shall not have the right to vote or have their civil  
14 rights automatically restored until completion of any sentence including imprisonment,  
15 probation, and parole for the subsequent offense, unless they are restored to their civil  
16 rights by executive pardon.

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

21 ➔Section 4. Notwithstanding any provision of KRS 118.415 to the contrary, the  
22 Secretary of State shall cause the entirety of the question in Section 1 of this Act and the  
23 entirety of the proposed amendment to the Constitution of Kentucky contained in Section  
24 2 of this Act to be published at least one time in a newspaper of general circulation  
25 published in this state, and shall also cause to be published at the same time and in the  
26 same manner the fact that the amendment will be submitted to the voters for their  
27 acceptance or rejection at the next regular election at which members of the General

1 Assembly are to be voted for. The publication required by this section and KRS 118.415  
2 shall be made no later than the first Tuesday in August preceding the election at which  
3 the amendment is to be voted on.

4       ➔Section 5. Notwithstanding any provision of KRS 118.415 to the contrary, the  
5 Secretary of State, not later than the second Monday after the second Tuesday in August  
6 preceding the next regular election at which members of the General Assembly are to be  
7 chosen in a year in which there is not an election for President and Vice President of the  
8 United States, or not later than the Thursday after the first Tuesday in September  
9 preceding a regular election in a year in which there is an election for President and Vice  
10 President of the United States, shall certify the entirety of the question in Section 1 of this  
11 Act and the entirety of the proposed amendment to the Constitution of Kentucky  
12 contained in Section 2 of this Act to the county clerk of each county, and the county clerk  
13 shall have the entirety of the question and the amendment, as so certified, indicated on  
14 the ballots provided to the voters in paper or electronic form as applicable to the voting  
15 machines in use in each county or precinct.