
DIGEST

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HB 415 Original

2016 Regular Session

Hunter

Abstract: Prohibits a person who has been convicted of a felony from qualifying for or taking public elective office or appointment of honor, trust, or profit in this state. Provides certain exceptions for persons pardoned by appropriate officer, persons for whom more than 15 years have passed after completion of sentence, and persons who receive probation for the felony in lieu of incarceration.

Present constitution provides that the right to register and vote may be suspended while a person is interdicted and judicially declared mentally incompetent or under an order of imprisonment for conviction of a felony.

Proposed constitutional amendment retains present constitution and further prohibits the following from qualifying as a candidate for elective public office or taking public elective office or appointment of honor, trust, or profit in this state:

- (1) A person who has been convicted within this state of a felony and who has exhausted all legal remedies, or who has been convicted under the laws of any other state or of the U.S. or of any foreign government or country of a crime which, if committed in this state, would be a felony and who has exhausted all legal remedies and has not afterwards been pardoned either by the governor of this state or by the officer of the state, nation, government, or country having such authority to pardon in the place where the person was convicted and sentenced.
- (2) A person actually under an order of imprisonment for conviction of a felony.

Proposed constitutional amendment authorizes a person to qualify as a candidate for or hold elective office if the date of qualifying for such office is more than 15 years after the date of the completion of his original sentence.

Proposed constitutional amendment further authorizes a person to qualify as a candidate for or hold elective office if the person was not incarcerated but received probation for the felony and the person has successfully completed the probation.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 8, 2016.

(Amends Const. Art. I, §10)

