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ACA-6 Elections: disqualification of electors. (2019-2020)

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Assembly Constitutional Amendment No. 6

CHAPTER 24

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 2 and 4 of Article II thereof, relating to elections.

[Filed with Secretary of State June 25, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

ACA 6, McCarty. Elections: disqualification of electors.

The California Constitution requires the Legislature to provide for the disqualification of electors while mentally incompetent or imprisoned or on parole for the conviction of a felony. Existing statutory law, for purposes of determining who is entitled to register to vote, defines imprisoned as currently serving a state or federal prison sentence.

This measure would instead direct the Legislature to provide for the disqualification of electors who are serving a state or federal prison sentence for the conviction of a felony. This measure would also delete the requirement that the Legislature provide for the disqualification of electors while on parole for the conviction of a felony. The measure would provide for the restoration of voting rights upon completion of the prison term.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2019–20 Regular Session commencing on the third day of December 2018, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First— That Section 2 of Article II thereof is amended to read:

SEC. 2. (a) A United States citizen 18 years of age and resident in this State may vote.

(b) An elector disqualified from voting while serving a state or federal prison term, as described in Section 4, shall have their right to vote restored upon the completion of their prison term.

Second— That Section 4 of Article II thereof is amended to read:

SEC. 4. The Legislature shall prohibit improper practices that affect elections and shall provide for the disqualification of electors while mentally incompetent or serving a state or federal prison term for the conviction of a felony.