

1 **FELON'S RIGHT TO HOLD OFFICE**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Carol Spackman Moss**

5 Senate Sponsor: \_\_\_\_\_

---

---

7 **LONG TITLE**

8 **General Description:**

9 This bill prohibits ~~H→~~ [a felon] an individual ~~←H~~ convicted of certain ~~H→~~ [crimes]  
9a sexual offenses ~~←H~~ from holding certain offices.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ prohibits ~~H→~~ [a felon] an individual ~~←H~~ who is convicted of ~~H→~~ [a sexual offense]  
12a certain sexual offenses ~~←H~~ from holding the office of

13 State Board of Education member or local school board member; and

14 ▶ makes conforming and technical changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **20A-2-101.5**, as last amended by Laws of Utah 2006, Chapter 28

---

---

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **20A-2-101.5** is amended to read:

25 **20A-2-101.5. Convicted felons -- Restoration of right to vote and right to hold**  
26 **office.**

27 (1) As used in this section, "convicted felon" means a person convicted of a felony in



28 any state or federal court of the United States.

29 (2) Each convicted felon's right to register to vote and to vote in an election is restored  
30 when:

31 (a) the felon is sentenced to probation;

32 (b) the felon is granted parole; or

33 (c) the felon has successfully completed the term of incarceration to which the felon  
34 was sentenced.

35 (3) ~~Each~~ Except as provided by Subsection (4), a convicted felon's right to hold  
36 elective office is restored when:

37 (a) all of the felon's felony convictions have been expunged; or

38 (b) (i) 10 years have passed since the date of the felon's most recent felony conviction;

39 (ii) the felon has paid all court-ordered restitution and fines; and

40 (iii) for each felony conviction that has not been expunged, the felon has:

41 (A) completed probation in relation to the felony;

42 (B) been granted parole in relation to the felony; or

43 (C) successfully completed the term of incarceration associated with the felony.

44 (4) ~~H→ [A convicted felon who is a sex offender, as defined in Section 77-41-102,]~~ An  
44a individual who has been convicted of a grievous sexual offense, as defined in Section 76-1-601,  
44b against a child , ←H may not  
45 hold the office of State Board of Education member or local school board member.

---

---

Legislative Review Note  
as of 12-21-12 9:50 AM

Office of Legislative Research and General Counsel