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A bill to be entitled  
 An act relating to restoration of civil rights;  
 providing a short title; providing findings and  
 purpose; creating s. 944.294, F.S.; providing for  
 automatic restoration of a former felon's civil  
 rights, other than the right to own, possess, or use  
 firearms, after completion of his or her sentence of  
 incarceration and community supervision; providing  
 conditions for and exemptions from automatic  
 restoration; providing for education concerning the  
 civil rights of people who have felony convictions;  
 amending ss. 944.292 and 944.705, F.S.; conforming  
 provisions; providing retroactive applicability;  
 providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Short title.—This act may be cited as the  
"Restoration of Civil Rights Act."

Section 2. Findings and purpose.—

(1) FINDINGS.—The Legislature finds that:

(a) The exercise of civil rights is a fundamental aspect  
of citizenship. Restoring civil rights allows former felons to  
participate in public service, serve on juries, and pursue  
chosen occupations.

26 (b) Restoring civil rights helps felons who have completed  
 27 their sentences to reintegrate into society. Their opportunities  
 28 to fully participate in society reinforces their ties to their  
 29 communities and may help to prevent recidivism.

30 (c) Under current law, all persons convicted of felonies  
 31 permanently lose many civil rights unless they receive  
 32 discretionary executive clemency.

33 (d) The restoration of civil rights through the clemency  
 34 process is cumbersome, costly, and produces long delays. The  
 35 clemency process imposes administrative burdens on the state and  
 36 economic burdens on state taxpayers and should be reserved for  
 37 extraordinary cases. Streamlining the restoration process for  
 38 the majority of former felons will advance administrative  
 39 efficiency, fiscal responsibility, fairness, and democracy.

40 (2) PURPOSE.—The purposes of this act are to strengthen  
 41 democratic institutions by enabling persons who have completed  
 42 their felony sentences to become productive members of society  
 43 and to streamline procedures for restoring civil rights.

44 Section 3. Section 944.294, Florida Statutes, is created  
 45 to read:

46 944.294 Restoration of civil rights.—

47 (1) A person who has been convicted of a felony, other  
 48 than a felony set forth in subsection (3), shall have his or her  
 49 civil rights that are lost as a consequence of a conviction of  
 50 that felony restored upon completion of his or her sentence.

51 However, this subsection does not apply to restoration of the  
52 right to own, possess, or use firearms.

53 (2) For purposes of this section, "completion of sentence"  
54 occurs when a person is released from incarceration upon  
55 expiration of his or her sentence and has completed all other  
56 terms and conditions of the sentence or subsequent supervision  
57 or, if the person has not been incarcerated for the felony  
58 offense, has completed all terms and conditions of supervision  
59 imposed on him or her.

60 (3)(a) A person is ineligible for restoration of civil  
61 rights under this section if he or she was convicted of a crime  
62 defined by any of the following:

63 1. Section 782.04, relating to murder.

64 2. Section 782.07(3), relating to aggravated manslaughter  
65 of a child.

66 3. Section 794.011, relating to sexual battery.

67 4. Section 826.04, relating to incest.

68 5. Section 827.071, relating to sexual performance by a  
69 child.

70 6. Section 847.0145, relating to selling or buying minors,  
71 otherwise transferring or obtaining custody or control of  
72 minors, or offering to do the same.

73 (b) A person is ineligible for restoration of civil rights  
74 under this section if he or she was convicted of treason or if  
75 his or her impeachment has resulted in conviction, as referred

76 | to in s. 8, Art. IV of the State Constitution.

77 | (4) This section does not impair the ability of a person  
78 | convicted of a felony to apply for executive clemency under s.  
79 | 8, Art. IV of the State Constitution.

80 | (5) A court shall, before accepting a plea of guilty or  
81 | nolo contendere to a felony without trial or, if a trial is  
82 | held, before imposing sentence for a felony, notify the  
83 | defendant as follows:

84 | (a) If the felony is described in subsection (3), that  
85 | conviction will result in permanent loss of civil rights unless  
86 | he or she receives executive clemency under s. 8, Art. IV of the  
87 | State Constitution.

88 | (b) If the felony is not described in subsection (3), that  
89 | conviction will result in loss of civil rights until the  
90 | defendant completes his or her sentence and that civil rights  
91 | will be restored thereafter, except for the right to own,  
92 | possess, or use firearms.

93 | (6) The Secretary of State shall develop and implement a  
94 | program to educate members of the public, attorneys, judges,  
95 | election officials, and corrections officials, including parole  
96 | and probation officers, about the requirements of this section,  
97 | ensuring that:

98 | (a) Judges are informed of their obligation to notify  
99 | criminal defendants of the potential loss and restoration of  
100 | their civil rights as required by subsection (5).

101           (b) Accurate and complete information about the civil  
 102 rights of people who have been charged with or convicted of  
 103 crimes, whether disenfranchising or not, is made available  
 104 through a single publication to government officials and the  
 105 public.

106           Section 4. Subsection (1) of section 944.292, Florida  
 107 Statutes, is amended to read:

108           944.292 Suspension of civil rights.—

109           (1) Upon conviction of a felony as defined in s. 10, Art.  
 110 X of the State Constitution, the civil rights of the person  
 111 convicted shall be suspended in Florida until such rights are  
 112 restored by a full pardon, conditional pardon, or restoration of  
 113 civil rights granted pursuant to s. 8, Art. IV of the State  
 114 Constitution or by restoration of civil rights pursuant to s.  
 115 944.294.

116           Section 5. Paragraph (g) of subsection (2) of section  
 117 944.705, Florida Statutes, is redesignated as paragraph (h), and  
 118 a new paragraph (g) is added to that subsection to read:

119           944.705 Release orientation program.—

120           (2) The release orientation program instruction must  
 121 include, but is not limited to:

122           (g) Restoration of civil rights.

123           Section 6. This act applies retroactively to all persons  
 124 who are eligible for restoration of civil rights under the terms  
 125 of the act, regardless of whether such persons were convicted or

126 | discharged from sentence before the effective date of this act.

127 |       Section 7. This act shall take effect on the effective  
128 | date of HJR 51 or another amendment to the State Constitution  
129 | which authorizes, or removes impediments to, enactment of this  
130 | act by the Legislature.