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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 purpose of this act is 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 specified 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 fulfilled 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 fulfilled 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 of
71 minors, otherwise transferring or obtaining custody or control
72 of 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 specified 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 specified 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

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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 59 or another amendment to the State Constitution
129 | which authorizes, or removes impediments to, enactment of this
130 | act by the Legislature.