

AMENDED IN ASSEMBLY JUNE 12, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

Assembly Constitutional Amendment

No. 6

**Introduced by Assembly Members McCarty, Bonta, Carrillo,
Gipson, Gonzalez, Kalra, Kamlager-Dove, Mullin, Mark Stone,
and Weber**

(Principal coauthor: Senator Wiener)

January 28, 2019

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending ~~Section 4~~ *Sections 2 and 4* of Article II thereof, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

ACA 6, as amended, 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: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

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

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

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

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

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