

Assembly Constitutional Amendment

No. 4

Introduced by Assembly Member Bryan

**(Principal coauthors: Assembly Members Bonta, Jackson, Kalra,
Weber, and Wilson)**

(Principal coauthor: Senator Becker)

**(Coauthors: ~~Assembly Members Haney and McKinnor~~ Haney,
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(~~Coauthor: Senator Cortese~~)

(*Coauthors: Senators Bradford, Cortese, and Smallwood-Cuevas*)

February 6, 2023

Assembly Constitutional Amendment No. 4—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.

LEGISLATIVE COUNSEL'S DIGEST

ACA 4, as introduced, Bryan. Elections: eligibility to vote.

The California Constitution authorizes a person to vote if the person is a United States citizen, at least 18 years of age, and a resident of the state. The California Constitution requires the Legislature to provide for the disqualification of electors while serving a state or federal prison term for the conviction of a felony.

This measure would repeal that requirement regarding the disqualification of electors incarcerated for felony convictions, thereby authorizing an otherwise qualified elector serving a state or federal prison term for the conviction of a felony to vote.

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 2023–24 Regular
 3 Session commencing on the fifth day of December 2022, two-thirds
 4 of the membership of each house concurring, hereby proposes to
 5 the people of the State of California that the Constitution of the
 6 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 *who is at least* 18 years of
 9 age and *a* 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 right~~
 12 ~~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 term for the conviction of a felony: *incompetent.*

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20 **REVISIONS:**

21 **Heading—Lines 6 and 7.**

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