

**SHB 1078 - H AMD 91**

By Representative Walsh

**NOT ADOPTED 02/24/2021**

1 On page 1, beginning on line 20, after "(2)" strike all material  
2 through "(5))" on page 2, line 21 and insert "(a) Once the right to  
3 vote has been ((provisionally)) restored, the sentencing court may  
4 revoke the ((provisional)) restoration of voting rights if the  
5 sentencing court determines that a person has willfully failed to  
6 comply with the terms of his or her order to pay legal financial  
7 obligations.

8 (b) If the ~~((person has failed to make three payments in a  
9 twelve month period and the county clerk or restitution recipient  
10 requests, the prosecutor shall seek revocation of the provisional  
11 restoration of voting rights from the court.~~

12 ~~((c) To the extent practicable, the prosecutor and county clerk  
13 shall inform a restitution recipient of the recipient's right to ask  
14 for the revocation of the provisional restoration of voting rights.~~

15 ~~((3) If the))~~ court revokes the ((provisional)) restoration of  
16 voting rights, the revocation shall remain in effect until, upon  
17 motion by the person whose ((provisional)) voting rights have been  
18 revoked, the person shows that he or she has made a good faith  
19 effort to pay ~~((as defined in RCW 10.82.090))~~ and the court orders  
20 that the person's voting rights be restored. As used in this  
21 subsection, "good faith effort" means that the person has either (i)  
22 paid the principal amount in full; or (ii) made at least 15 payments  
23 within an 18-month period, excluding any payments mandatorily  
24 deducted by the department of corrections.

25 ~~((4))~~ (c) The county clerk shall enter into a database  
26 maintained by the administrator for the courts the names of all  
27 persons whose ((provisional)) voting rights have been revoked, and

1 update the database for any person whose voting rights have  
2 subsequently been restored pursuant to ~~((+6+))~~ (b) of this  
3 ~~((section))~~ subsection.

4 ~~((+5+))~~ (3)"

5  
6 Renumber the remaining subsections consecutively and correct any  
7 internal references accordingly.

8  
9 On page 2, at the beginning of line 24, strike "subsection(~~(s)~~)  
10 (1) ~~((and-(3+)))~~" and insert "subsections (1) and ~~((+3+))~~ (2)"

11  
12 On page 3, line 28, after "conviction," strike "and"

13  
14 On page 3, line 29, after "conviction" insert ", and I am not  
15 disqualified from voting due to a court order revoking my voting  
16 rights for failure to comply with the terms for payment of legal  
17 financial obligations"

18  
19 On page 5, line 36, after "voting;" strike "and"

20  
21 On page 5, beginning on line 37, after "(e)" strike all  
22 material through "~~(f) The~~" on page 6, line 3 and insert "The  
23 ~~((provisional))~~ restored right to vote may be revoked if the  
24 defendant fails to comply with all the terms of his or her legal  
25 financial obligations or an agreement for the payment of legal  
26 financial obligations; and

27 (f) ~~((The~~"

28

EFFECT: Restores provisions in current law, except for  
references to "provisional" voting rights, authorizing the court to  
revoke the restoration of a person's voting rights when it finds  
that the person willfully failed to comply with a court order to pay  
legal financial obligations (LFO), until that person shows a good  
faith effort to pay.

Defines what constitutes a "good faith effort" to pay LFOs.

34

Restores the requirement under current law that the Secretary of State compare the list of registered voters to a list of persons who are not eligible to vote due to the person's failure to pay LFOs, but specifies that the comparison must be between the list of registered voters and the database maintained by the administrator for the courts.

Modifies the voter registration oath to require the registrant to declare that he or she is not disqualified from voting due to a court order revoking his or her voting rights for failure to pay LFOs.

Restores current law, except for references to the "provisional" right to vote, that requires the statement of acknowledgment signed by defendants at sentencing to include notice that a person's restored right to vote may be revoked for failure to pay LFOs.

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