1078-S AMH WALJ OMLI 042

**SHB 1078** - H AMD **91**

By Representative Walsh

**NOT ADOPTED 02/24/2021**

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

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

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

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the revocation shall remain in effect until, upon motion by the person whose ((~~provisional~~)) voting rights have been revoked, the person shows that he or she has made a good faith effort to pay ((~~as defined in RCW 10.82.090~~ )) and the court orders that the person's voting rights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

((~~(4)~~)) (c) The county clerk shall enter into a database maintained by the administrator for the courts the names of all persons whose ((~~provisional~~)) voting rights have been revoked, and update the database for any person whose voting rights have subsequently been restored pursuant to ((~~(6)~~)) (b) of this ((~~section~~)) subsection.

 ((~~(5)~~)) (3)"

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

 On page 2, at the beginning of line 24, strike “subsection((~~s~~)) (1) ((~~and (3)~~))” and insert “subsections (1) and ((~~(3)~~)) (2)”

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

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

     On page 5, line 36, after “voting;” strike “and”

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

     (f) ((~~The~~”

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| --- | --- |
|  |  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. 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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