

Ohio Code

TITLE [29] XXIX.

Crimes – Procedure

2961. Disfranchised Convicts; Habitual Criminals

2961.01. Civil rights of convicted felons

§ 2961.01. Civil rights of convicted felons.

(A) A person convicted of a felony under the laws of this or any other state or the United States, unless the conviction is reversed or annulled, is incompetent to be an elector or juror or to hold an office of honor, trust, or profit. When any person convicted of a felony under any law of that type is granted parole, judicial release, or a conditional pardon or is released under a non-jail community control sanction or a post-release control sanction, the person is competent to be an elector during the period of community control, parole, post-release control, or release or until the conditions of the pardon have been performed or have transpired and is competent to be an elector thereafter following final discharge. The full pardon of a person convicted of a felony restores the rights and privileges so forfeited under this division, but a pardon shall not release the person convicted of a felony from the costs of a conviction in this state, unless so specified.

(B) A person convicted of a felony under laws of this state or any other state or the United States is incompetent to circulate or serve as a witness for the signing of any declaration of candidacy and petition, voter registration application, or nominating, initiative, referendum, or recall petition.

(C) As used in this section:

(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(2) "Non-jail community control sanction" means a community control sanction that is neither a term in a community-based correctional facility nor a term in a jail.

(3) "Post-release control" and "post-release control sanction" have the same meanings as in section 2967.01 of the Revised Code.

HISTORY: GC § 13458-1; 113 v 123(211), ch 37; Bureau of Code Revision, 10-1-53; 134 v H 511 (Eff 1-1-74); 147 v S 111. Eff 3-17-98; 149 v H 490, § 1, eff. 1-1-04; 151 v H 3, § 1, eff. 5-2-06.

The effective date is set by section 4 of H.B. 490.

Effect of Amendments

151 v H 3, effective May 2, 2006, in (A), twice substituted "person convicted of a felony" for "convict", and substituted "division" for "section" and "a conviction" for "the convict's"; and inserted (B) and redesignated former (B) as (C). H.B. 490, Acts 2002, effective January 1, 2004, redesignated former introductory paragraph as (A), and added (B); in (A), deleted "probation" following "granted," substituted "community control" for "probation," and inserted "non-jail community control sanction" and inserted "post-release control.

19xx Committee Report or Comment.

1974 Committee Comment to H 511

This section permits a person convicted of felony to vote from and after the time he is granted probation, parole, or a conditional pardon. Under former law, a convicted felony was disabled from voting, sitting as a juror, or holding an office of honor, trust, or profit. The disabilities as to jury service and holding office are continued under this section, regardless of whether the convicted felony is placed on probation, paroled, or granted a conditional pardon. These disabilities may be removed, however, pursuant to section 2951.09 of the Revised Code, although it is not clear under that section whether relief from disability can be granted only to a person placed on probation as opposed to persons granted parole or a conditional pardon.