

RCW 29A.08.520

**Felony conviction — Provisional and permanent restoration of voting rights (as amended by 2009 c 325).**

~~(1) ((Upon receiving official notice of a person's conviction of a felony in either state or federal court, if the convicted person is a registered voter in the county, the county auditor shall cancel the defendant's voter registration. Additionally, the secretary of state in conjunction with the department of corrections, the Washington state patrol, the office of the administrator for the courts, and other appropriate state agencies shall arrange for a quarterly comparison of a list of known felons with the statewide voter registration list. If a person is found on a felon list and the statewide voter registration list))~~ For a felony conviction in a Washington state court, the right to vote is provisionally restored as long as the person is not under the authority of the department of corrections. For a felony conviction in a federal court or any state court other than a Washington state court, the right to vote is restored as long as the person is no longer incarcerated.

(2)(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rights, the revocation shall remain in effect until, upon motion by the person whose provisional voting rights have been revoked, the person shows that he or she has made a good faith effort to pay as defined in RCW 10.82.090.

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database maintained by the administrator for the courts the names of all persons whose provisional voting rights have been revoked, and update the database for any person whose voting rights have subsequently been restored pursuant to subsection (6) of this section.

(5) At least twice a year, the secretary of state shall compare the list of registered voters to a list of felons who are not eligible to vote as provided in subsections (1) and (3) of this section. If a registered voter is not eligible to vote as provided in this section, the secretary of state or county auditor shall confirm the match through a date of birth comparison and suspend the voter registration from the official state voter registration list. The ~~((canceling authority))~~ secretary of state or county auditor shall send to the person at his or her last known voter registration address and at the department of

corrections, if the person is under the authority of the department, a notice of the proposed cancellation and an explanation of the requirements for provisionally and permanently restoring the right to vote ((once all terms of sentencing have been completed)) and reregistering. ((If the person does not respond within thirty days, the registration must be canceled.)) To the extent possible, the secretary of state shall time the comparison required by this subsection to allow notice and cancellation of voting rights for ineligible voters prior to a primary or general election.

~~((2))~~ (6) The right to vote may be permanently restored by ((, for each felony conviction,)) one of the following for each felony conviction:

(a) A certificate of discharge issued by the sentencing court, as provided in RCW [9.94A.637](#);

(b) A court order restoring the right, as provided in RCW [9.92.066](#);

(c) A final order of discharge issued by the indeterminate sentence review board, as provided in RCW [9.96.050](#); or

(d) A certificate of restoration issued by the governor, as provided in RCW [9.96.020](#).

(7) For the purposes of this section, a person is under the authority of the department of corrections if the person is:

(a) Serving a sentence of confinement in the custody of the department of corrections;  
or

(b) Subject to community custody as defined in RCW [9.94A.030](#).

[2009 c 325 § 1; 2005 c 246 § 15; 2004 c 267 § 126; 2003 c 111 § 233. Prior: 1994 c 57 § 42. Formerly RCW [29.10.097](#).]

#### **RCW 29A.08.520**

#### **Felony conviction — Restoration of voting rights (as amended by 2009 c 369).**

(1) Upon receiving official notice of a person's conviction of a felony in either state or federal court, if the convicted person is a registered voter in the county, the county auditor shall cancel the defendant's voter registration. ~~((Additionally,))~~

(2) The secretary of state in conjunction with the department of corrections, ((the Washington state patrol,)) the office of the administrator for the courts, and other appropriate state agencies shall arrange for a quarterly comparison of a list of known felons with the statewide voter registration list. If a ((person)) registered voter is found on a ((felon)) reliable list ((and the statewide voter registration list)) of felons who are ineligible to vote, the secretary of state or county auditor shall confirm the match through a name and date of birth comparison and suspend the voter registration from the official

state voter registration list. The ~~((canceling authority))~~ secretary of state shall send to the person at his or her last known voter registration address a notice of the proposed cancellation and an explanation of the requirements for restoring the right to vote once all terms of sentencing have been completed. If the person does not respond within thirty days, the registration must be canceled.

~~((2))~~ (3) The right to vote may be restored by, for each felony conviction, one of the following:

(a) A certificate of discharge issued by the sentencing court, as provided in RCW [9.94A.637](#);

(b) A court order restoring the right, as provided in RCW [9.92.066](#);

(c) A final order of discharge issued by the indeterminate sentence review board, as provided in RCW [9.96.050](#); or

(d) A certificate of restoration issued by the governor, as provided in RCW [9.96.020](#).

[2009 c 369 § 27; 2005 c 246 § 15; 2004 c 267 § 126; 2003 c 111 § 233. Prior: 1994 c 57 § 42. Formerly RCW [29.10.097](#).]

**Notes:**

**Reviser's note:** RCW [29A.08.520](#) was amended twice during the 2009 legislative session, each without reference to the other. For rule of construction concerning sections amended more than once during the same legislative session, see RCW [1.12.025](#).

**Effective date -- 2005 c 246:** See note following RCW [10.64.140](#).

**Effective dates -- 2004 c 267:** See note following RCW [29A.08.010](#).

**Severability -- Effective date -- 1994 c 57:** See notes following RCW [29A.16.040](#).

Restoration of civil rights: RCW [9.92.066](#), [9.94A.637](#), [9.94A.885](#), [9.95.260](#), chapter [9.96](#) RCW.