

Florida Voters Enact Automatic Restoration of Voting Rights for Floridians With Felony Convictions

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Last night, Floridians voted to pass the Voting Restoration Amendment that is poised to restore voting rights to an estimated 1.5 million Floridians with prior felony convictions. The Amendment needed 60 percent approval to pass, a threshold it easily passed with over 64 percent of the vote that matched pre-election polling averages in the mid-60s.

By its terms, the Amendment revises the Florida Constitution to provide that disqualification from voting for persons with felony convictions “shall terminate and voting rights shall be restored upon completion of all terms of sentence including parole or probation.” The Amendment excludes, however, those convicted of murder or felony sexual offenses from automatic restoration of voting rights; those individuals must still pursue restoration of rights on an individual basis from the Governor and Cabinet.

Until yesterday’s vote, Florida was one of only four states (alongside Iowa, Kentucky, and Virginia) where individuals with felony convictions do not recover their voting rights without action by a state official or clemency board approving the individual’s restoration. The majority of states restore voting rights automatically upon completion of some combination of the individual’s prison sentence, parole, and probation, or all three.

The enactment of the Voting Restoration Amendment upends the current rights restoration process by cementing constitutional change that is less subject to shifting political climates and therefore less vulnerable to challenges in the courts. The Amendment also paves the way for the addition of nearly 1.5 million people into the pool of eligible Florida voters—particularly substantial relative to the 13 million currently registered voters in the state—that could shape the electorate and future state and federal electoral outcomes.

Nationally, it also reflects a growing trend of activists seeking to expand—or restrict—voting access through ballot initiatives and voter-approved constitutional amendments. In this election alone: voters in Michigan approved a proposal adopting automatic voter registration, same-day voter registration, and no-excuse absentee voting; Maryland voters voted to permit same-day voter registration; Nevadans ratified automatic voter registration; Arkansas and North Carolina both enshrined voter identification requirements in their respective state constitutions; and Colorado, Michigan, Missouri, and Utah passed initiatives to reform their respective redistricting processes.

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