



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 835 (Substitute S-2 as reported)
Sponsor: Senator Stephanie Chang
Committee: Elections and Ethics

CONTENT

The bill would amend the Corrections Code to require the Department of Corrections (MDOC) to provide to incarcerated individuals about to be released from prison a written document, prepared by the Secretary of State (SOS), that contained information regarding voting registration and election processes.

MCL 791.234c & 791.235

BRIEF RATIONALE

The ability of formerly incarcerated individuals to vote varies by state.¹ In 10 states, felons lose their voting rights indefinitely and often require additional action, such as a governor's pardon, to restore their voting rights. Fifteen states strip felons of their voting rights during incarceration and for a period of time after, usually while on parole or probation. In two states (i.e., Maine and Vermont) and Washington, D.C., felons never lose their voting rights, even while incarcerated; however, 23 states, including Michigan, strip felons of the right to vote while incarcerated but automatically restore that right upon release.² Formerly incarcerated individuals must re-register to vote. Due to the variety in states' laws concerning the voting rights of formerly incarcerated individuals and popular narratives from television and the media, some believe that formerly incarcerated individuals in Michigan are unaware of their automatic restoration. Accordingly, it has been suggested that the MDOC be required to inform formerly incarcerated individuals of their rights upon release.

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

The bill is similar to House Bill 5537 of the 2021-2022 Legislative Session.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-7-24

Fiscal Analyst: Joe Carrasco, Jr.

¹ For more information, see the U.S. Department of Justice's *Guide to State Voting Rules That Apply After a Criminal Conviction*.

² "Felon Voting Rights," NCSL. Retrieved on 12-5-24.