



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort, Kentucky

2019-003
December 12, 2019

RELATING TO THE RESTORATION
OF CIVIL RIGHTS FOR
CONVICTED FELONS

WHEREAS, the right to vote is the foundation of a representative government;
and

WHEREAS, under the Constitution of the Commonwealth of Kentucky, an individual convicted of a felony is denied the right to vote or hold public office; and

WHEREAS, these restrictions may continue long after a sentence has been fully served; and

WHEREAS, according to media reports, an estimated more than 140,000 Kentuckians have already completed their sentences for non-violent felonies but remain disenfranchised and cannot vote; and

WHEREAS, research indicates that people who have completed their sentences and who vote are less likely to re-offend and return to prison; and

WHEREAS, restoration of the right to vote is an important aspect of promoting rehabilitation and reintegration into society to become law-abiding and productive citizens; and

WHEREAS, Kentucky is one of only two states that does not currently provide an automatic process for restoring voting rights for citizens upon final discharge of their sentences; and

WHEREAS, the current means by which Kentuckians who have completed their sentences seek to have their rights restored is unnecessarily time consuming; and



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WHEREAS, pursuant to Sections 145 and 150 of the Constitution of the Commonwealth of Kentucky, the Governor is authorized and empowered to restore the civil rights of any citizen that are forfeited by reason of a felony conviction:

NOW, THEREFORE, in consideration of the foregoing and by virtue of the authority vested in me by Sections 69, 145, and 150 of the Constitution of the Commonwealth of Kentucky, I, Andy Beshear, Governor of the Commonwealth of Kentucky, do hereby Order and Direct the following:

1. The civil rights, hereby expressly limited to the right to vote and the right to hold public office denied by judgment of conviction and any prior conviction, are hereby restored to all offenders convicted of crimes under Kentucky state law who have satisfied the terms of their probation, parole, or service of sentence (hereinafter collectively referred to for purposes of this Order as "Final Discharge"), exclusive of restitution, fines, and any other court-ordered monetary conditions.
2. This Order shall not apply to any person presently convicted of:
 - a) Treason,
 - b) Bribery in an election,
 - c) A violent offense defined in KRS 439.3401,
 - d) Any offense under KRS Chapter 507 or KRS Chapter 507A,
 - e) Any Assault as defined in KRS 508.020 or KRS 508.040,
 - f) Any offense under KRS 508.170, or
 - g) Any offense under KRS 529.100.
3. The provisions of this Order, as mentioned above, only restore the right to vote and the right to hold public office and do not restore any other civil right.
4. Kentuckians convicted of crimes under Kentucky state law not meeting the criteria for automatic restoration as set forth in this Order, as well as Kentuckians convicted of crimes under federal law or the laws of jurisdictions other than Kentucky, may still make application for restoration of civil rights under guidelines provided by the Governor and the provisions of KRS 196.045.



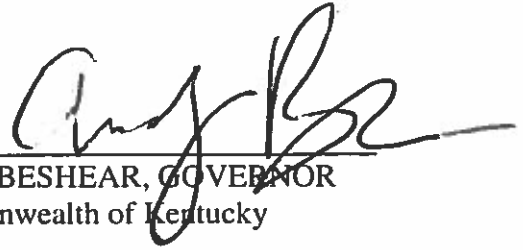
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5. This Executive Order, and all future restorations of civil rights issued pursuant hereto, shall not be construed as a full pardon under Section 77 of the Constitution of the Commonwealth of Kentucky, or as a remission of guilt or forgiveness of the offense; shall not relieve any obligation to pay restitution, fines, or any other court-ordered monetary conditions; and shall not operate as a bar to greater penalties for second offenses or a subsequent conviction as a habitual criminal.
6. In addition to the above, no civil rights shall be restored pursuant to this Order to any person who has at the time of Final Discharge any pending felony charges or arrests, nor to any person who was convicted under federal law or the laws of a jurisdiction other than Kentucky. The Department of Corrections shall take all reasonable steps necessary to effectuate compliance with the mandates and criteria set forth in this Order.
7. The Department of Corrections, including the Division of Probation and Parole within the Office of Community Services and Facilities, shall provide the information regarding any Kentuckian who meets the criteria as set forth in this Order to the necessary election officials.
8. Any Kentuckian who has received a Final Discharge prior to the effective date of this Order and who meets the criteria for automatic restoration of civil rights as set forth herein shall be eligible to request verification from the Department of Corrections of the restoration of their civil rights.
9. The provisions of this Order shall be effective as of December 12, 2019, and shall have both prospective and retroactive application.
10. The Justice and Public Safety Cabinet and all other Kentucky state agencies are hereby directed to comply with the provisions of this Order.
11. The provisions of Executive Order 2015-052, dated December 22, 2015, be and are hereby rescinded, declared null and void, and are no longer in effect.


ANDY BESHEAR, GOVERNOR
Commonwealth of Kentucky

ALISON LUNDERGRAN GRIMES
Secretary of State