

SB179 INTRODUCED



1 SB179
2 EGZV9C2-1
3 By Senators Coleman-Madison, Stewart, Beasley, Coleman,
4 Singleton, Smitherman
5 RFD: Judiciary
6 First Read: 29-Feb-24



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SYNOPSIS:

Under existing law, an individual convicted of a crime of moral turpitude loses his or her right to vote.

This bill would remove certain crimes from the list of offenses that are considered crimes of moral turpitude.

A BILL
TO BE ENTITLED
AN ACT

Relating to voting; to amend Section 17-3-30.1, Code of Alabama 1975, to remove certain crimes from the list of offenses that are considered crimes of moral turpitude.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-3-30.1, Code of Alabama 1975, is amended to read as follows:

"§17-3-30.1

(a) This section shall be known and may be cited as the Felony Voter Disqualification Act.

(b) (1) The Legislature finds and declares ~~that~~ both of the following:



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29 a. ~~Article VIII~~ That Section 177 of the Constitution of
30 Alabama of ~~1901~~2022, ~~now appearing as Section 177 of Article~~
31 ~~VIII of the Official Recompilation of the Constitution of~~
32 ~~Alabama of 1901, as amended~~, provides that Alabama ~~citizens~~
33 residents shall lose the right to vote when convicted of a
34 crime only if the conviction was for a felony involving moral
35 turpitude.

36 b. ~~Under~~ Prior to 2017, under general law, there ~~is~~ was
37 no comprehensive list of felonies that involve moral turpitude
38 which disqualify a person from exercising his or her right to
39 vote. Neither individuals with felony convictions nor election
40 officials ~~have~~ had a comprehensive, authoritative source for
41 determining if a felony conviction involves moral turpitude
42 and is therefore a disqualifying felony.

43 (2) The purposes of this section are:

44 a. To give full effect to ~~Article VIII~~ Section 177 of
45 the Constitution of Alabama of ~~1901~~2022, ~~now appearing as~~
46 ~~Section 177 of Article VIII of the Official Recompilation of~~
47 ~~the Constitution of Alabama of 1901, as amended~~.

48 b. To ensure that no one is wrongly excluded from the
49 electoral franchise.

50 c. To provide a comprehensive list of acts that
51 constitute moral turpitude for the limited purpose of
52 disqualifying ~~a person~~ an individual from exercising his or
53 her right to vote.

54 (c) For purposes of ~~Article VIII~~ Section 177 of the
55 Constitution of Alabama of ~~1901~~2022, ~~now appearing as Section~~
56 ~~177 of Article VIII of the Official Recompilation of the~~



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57 ~~Constitution of Alabama of 1901, as amended, a person an~~
58 individual is disqualified to vote by reason of conviction of
59 a felony involving moral turpitude only when convicted of any
60 of the following offenses in a degree constituting a felony:

61 (1) Murder as defined in the following sections:

62 a. Subdivision (1) of subsection (a) of Section
63 13A-5-40.

64 b. Subdivision (2) of subsection (a) of Section
65 13A-5-40.

66 c. Subdivision (3) of subsection (a) of Section
67 13A-5-40.

68 d. Subdivision (4) of subsection (a) of Section
69 13A-5-40.

70 e. Subdivision (5) of subsection (a) of Section
71 13A-5-40.

72 f. Subdivision (6) of subsection (a) of Section
73 13A-5-40.

74 g. Subdivision (7) of subsection (a) of Section
75 13A-5-40.

76 h. Subdivision (8) of subsection (a) of Section
77 13A-5-40.

78 i. Subdivision (9) of subsection (a) of Section
79 13A-5-40.

80 j. Subdivision (10) of subsection (a) of Section
81 13A-5-40.

82 k. Subdivision (11) of subsection (a) of Section
83 13A-5-40.

84 l. Subdivision (12) of subsection (a) of Section



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- 85 13A-5-40.
- 86 m. Subdivision (13) of subsection (a) of Section
- 87 13A-5-40.
- 88 n. Subdivision (14) of subsection (a) of Section
- 89 13A-5-40.
- 90 o. Subdivision (15) of subsection (a) of Section
- 91 13A-5-40.
- 92 p. Subdivision (16) of subsection (a) of Section
- 93 13A-5-40.
- 94 q. Subdivision (17) of subsection (a) of Section
- 95 13A-5-40.
- 96 r. Subdivision (18) of subsection (a) of Section
- 97 13A-5-40.
- 98 s. Subdivision (19) of subsection (a) of Section
- 99 13A-5-40.
- 100 t. Section 13A-6-2.
- 101 (2) Manslaughter as defined in Section 13A-6-3.
- 102 (3) Assault as defined in Section 13A-6-20, except for
- 103 subdivision (5) of subsection (a) of Section 13A-6-20, and
- 104 Section 13A-6-21.
- 105 (4) Kidnapping in the first degree as defined in
- 106 Section 13A-6-43.
- 107 (5) Kidnapping in the second degree as defined in
- 108 Section 13A-6-44.
- 109 (6) Rape as defined in Sections 13A-6-61 and 13A-6-62.
- 110 (7) Sodomy as defined in Sections 13A-6-63 and
- 111 13A-6-64.
- 112 (8) Sexual torture as defined in Section 13A-6-65.1.



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113 (9) Sexual abuse as defined in Sections 13A-6-66,
114 13A-6-67, and 13A-6-69.1.

115 (10) Enticing a child to enter a vehicle for immoral
116 purposes as defined in Section 13A-6-69.

117 (11) Facilitating solicitation of unlawful sexual
118 conduct with a child as defined in Section 13A-6-121.

119 (12) Electronic solicitation of a child as defined in
120 Section 13A-6-122.

121 (13) Facilitating the on-line solicitation of a child
122 as defined in Section 13A-6-123.

123 (14) Traveling to meet a child for an unlawful sex act
124 as defined in Section 13A-6-124.

125 (15) Facilitating the travel of a child for an unlawful
126 sex act as defined in Section 13A-6-125.

127 (16) Human trafficking as defined in Sections 13A-6-152
128 and 13A-6-153.

129 (17) Terrorism as defined in Section 13A-10-152.

130 (18) Soliciting or providing support for an act of
131 terrorism as defined in Section 13A-10-153.

132 (19) Hindering prosecution of terrorism as defined in
133 Section 13A-10-154.

134 (20) Endangering the water supply as defined in Section
135 13A-10-171.

136 (21) Possession, manufacture, transport, or
137 distribution of a destructive device or bacteriological or
138 biological weapon as defined in Section 13A-10-193.

139 (22) Selling, furnishing, giving away, delivering, or
140 distribution of a destructive device, a bacteriological



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141 weapon, or biological weapon to a person who is less than 21
142 years of age as defined in Section 13A-10-194.

143 (23) Possession, manufacture, transport, or
144 distribution of a detonator, explosive, poison, or hoax device
145 as defined in Section 13A-10-195.

146 (24) Possession or distribution of a hoax device
147 represented as a destructive device or weapon as defined in
148 subsection (c) of Section 13A-10-196.

149 (25) Attempt to commit an explosives or destructive
150 device or bacteriological or biological weapons crime as
151 defined in Section 13A-10-197.

152 (26) Conspiracy to commit an explosives or destructive
153 device or bacteriological or biological weapons crime as
154 defined in Section 13A-10-198.

155 (27) Hindrance or obstruction during detection,
156 disarming, or destruction of a destructive device or weapon as
157 defined in Section 13A-10-199.

158 (28) Possession or distribution of a destructive device
159 or weapon intended to cause injury or destruction as defined
160 in Section 13A-10-200.

161 (29) Treason as defined in Section 13A-11-2.

162 (30) Dissemination or public display of obscene matter
163 containing visual depiction of persons under 17 years of age
164 involved in obscene acts as defined in Section 13A-12-191.

165 (31) Possession and possession with intent to
166 disseminate obscene matter containing visual depiction of
167 persons under 17 years of age involved in obscene acts as
168 defined in Section 13A-12-192.



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169 (32) Parents or guardians permitting children to engage
170 in production of obscene matter as defined in Section
171 13A-12-196.

172 (33) Production of obscene matter containing visual
173 depiction of persons under 17 years of age involved in obscene
174 acts as defined in Section 13A-12-197.

175 (34) Distribution, possession with intent to
176 distribute, production of obscene material, or offer or
177 agreement to distribute or produce, as defined in Section
178 13A-12-200.2.

179 ~~(35) Trafficking in cannabis, cocaine, or other illegal~~
180 ~~drugs or trafficking in amphetamine and methamphetamine as~~
181 ~~defined in Section 13A-12-231.~~

182 ~~(36)~~ (35) Bigamy as defined in Section 13A-13-1.

183 ~~(37)~~ (36) Incest as defined in Section 13A-13-3.

184 ~~(38)~~ (37) Torture or other willful maltreatment of a
185 child under the age of 18 as defined in Section 26-15-3.

186 ~~(39)~~ (38) Aggravated child abuse as defined in Section
187 26-15-3.1.

188 ~~(40)~~ (39) Prohibited acts in the offer, sale, or
189 purchase of securities as defined in Section 8-6-17.

190 ~~(41) Burglary as defined in Sections 13A-7-5 and~~
191 ~~13A-7-6.~~

192 ~~(42)~~ (40) Aggravated theft by deception as defined in
193 Section 13A-8-2.1.

194 ~~(43) Theft of property as defined in Sections 13A-8-3~~
195 ~~and 13A-8-4.~~

196 ~~(44) Theft of lost property as defined in Sections~~



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197 ~~13A-8-7 and 13A-8-8.~~

198 ~~(45)~~ (41) Theft of trademarks or trade secrets as
199 defined in Section 13A-8-10.4.

200 ~~(46) Robbery as defined in Sections 13A-8-41, 13A-8-42,~~
201 ~~and 13A-8-43.~~

202 ~~(47) Forgery as defined in Sections 13A-9-2 and~~
203 ~~13A-9-3.~~

204 ~~(48)~~ (42) Any crime as defined by the laws of the United
205 States or by the laws of another state, territory, country, or
206 other jurisdiction, which, if committed in this state, would
207 constitute one of the offenses listed in this subsection.

208 (d) Nothing in this section shall be interpreted as
209 determining moral turpitude for any purpose other than
210 disqualifying ~~a person~~ an individual from exercising his or
211 her right to vote.

212 (e) The felonies involving moral turpitude listed in
213 subsection (c) are the only felonies for which a person, upon
214 conviction, may be disqualified from voting. Additional
215 felonies may be added to the list in subsection (c) only by
216 amendment to this section."

217 Section 2. This act shall become effective on October
218 1, 2024.