



Voting Rights for Formerly Incarcerated People

No updates required since October 3, 2023

Background

Every state has laws outlining who is eligible to vote, and almost all states restrict voting for those who are currently incarcerated for a felony offense—though a few states allow citizens to vote while incarcerated. States differ on when and how formerly incarcerated people can have their voting rights restored.

Scoring

- Voting rights are never lost or automatically restored upon release from incarceration, 1 point
- Rights lost until completion of sentence, including probation and parole, then automatically restored, ½ point
- Additional action is required post-sentence for restoration of rights, 0 points

Summary Table

Category	Number	List
Additional action is required post-sentencing to restore voting rights	11 states & D.C.	Alabama Arizona Delaware Florida Kentucky Mississippi* (see note below) Nebraska South Dakota Tennessee Virginia Wyoming
Voting rights are lost until full completion of sentence, including probation and parole	14 states	Alaska Arkansas Georgia Idaho Iowa Kansas Louisiana Missouri North Carolina Oklahoma South Carolina Texas West Virginia Wisconsin



Voting rights are automatically restored upon release from incarceration	23 states	California Colorado Connecticut Hawaii Illinois Indiana Maryland Massachusetts Michigan Minnesota Montana Nevada New Hampshire New Jersey New Mexico New York North Dakota Ohio Oregon Pennsylvania Rhode Island Utah Washington
Voting rights are never lost	2 states & D.C.	D.C. Maine Vermont

State-by-State Sources and More Detail

Alabama (0)

- Additional action is required post-sentence for restoration of rights (Ala. Code § 17-3-31).

Alaska (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Alaska Stat. § 15.05.030).

Arizona (0)

- Additional action is required post-sentence for restoration of rights (Ariz. Rev. Stat. §§ 16-101, 13-907; Ariz. Const. art. VII, § 2).



Arkansas (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Ark. Const. amend. 51, § 11).

California (1)

- Rights automatically restored upon release from incarceration ([California Secretary of State](#)).

Colorado (1)

- Rights automatically restored upon release from incarceration (Colo. Rev. Stat. §§ 1-2-103, 1-2-606).

Connecticut (1)

- Rights automatically restored upon release from incarceration (Conn. Gen. Stat. § 9-46a).

Delaware (0)

- Additional action is required post-sentence for restoration of rights (Del. Const., art. 5, § 2; Del. Code tit. 15, § 6103).

D.C. (1)

- Voting rights are never lost (D.C. Act 23-336: Comprehensive Policing and Justice Reform Second Emergency Amendment Act of 2020).

Florida (0)

- Additional action is required post-sentence for restoration of rights (Fla. Stat. § 98.0751).

Georgia (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Ga. Code Ann. § 21-2-216).

Hawaii (1)

- Rights automatically restored upon release from incarceration (Haw. Rev. Stat. § 831-2).

Idaho (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Idaho Const. art. IV, § 3; Idaho Code § 34-201).

Illinois (1)

- Rights automatically restored upon release from incarceration (10 Ill. Comp. Stat. 5/3-5).

Indiana (1)

- Rights automatically restored upon release from incarceration (Ind. Code § 3-7-46).

Iowa (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored ([Office of The Governor of Iowa](#)).



Kansas (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Kan. Stat. Ann. 21-6613).

Kentucky (0)

- Additional action is required post-sentence for restoration of rights (Ky. Const. art. XII, § 145).

Louisiana (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (La. Stat. Ann. § 18:102).

Maine (1)

- Voting rights are never lost ([Maine Secretary of State](#)).

Maryland (1)

- Rights automatically restored upon release from incarceration (Md. Code Ann., Elec. Law § 3-102).

Massachusetts (1)

- Rights automatically restored upon release from incarceration (Mass Gen. Laws Ch. 51, § 1 (2021); Mass. Const., amend. III, amend. CXX).

Michigan (1)

- Rights automatically restored upon release from incarceration (Mich. Comp. Laws § 168.758b).

Minnesota (1)

- Rights automatically restored upon release from incarceration (MN HF 28 (2023)).

Mississippi (1)

- Rights are automatically restored upon release from incarceration (Miss. Const. art. 12, § 241).
- Note: In August 2023, the federal 5th Circuit Court of Appeals ruled that Mississippi's law requiring that people convicted of certain felonies be permanently disenfranchised was unconstitutional. The state appealed the decision to the full 5th Circuit, who agreed to rehear the case en banc. As a result, the law that was previously struck down is now back in place pending a decision of the full 5th Circuit on rehearing.

Missouri (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Mo. Rev. Stat. § 115.133).

Montana (1)

- Rights automatically restored upon release from incarceration (Mont. Const. article IV, § 2).

Nebraska (0)

- Additional action is required post-sentence for restoration of rights (Neb. Rev. Stat. § 32-313).



Nevada (1)

- Rights automatically restored upon release from incarceration (Nev. Rev. Stat. §§ 176A.850, 213.157).

New Hampshire (1)

- Rights automatically restored upon release from incarceration (N.H. Rev. Stat. Ann. § 607-A:2).

New Jersey (1)

- Rights automatically restored upon release from incarceration (N.J. Stat. Ann. 19:4-1).

New Mexico (1)

- Rights automatically restored upon release from incarceration (NM HB 4 (2023)).

New York (1)

- Rights automatically restored upon release from incarceration (N.Y. Elec. Law § 5-106).

North Carolina (1)

- Rights lost until completion of sentence, including probation and parole. ([North Carolina State Board of Elections](#))

North Dakota (1)

- Rights automatically restored upon release from incarceration (N.D. Cent. Code § 12.1-33-01).

Ohio (1)

- Rights automatically restored upon release from incarceration (Ohio Rev. Code Ann. § 3503.21).

Oklahoma (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Okla. Stat. tit. 26, § 4-120.4).

Oregon (1)

- Rights automatically restored upon release from incarceration (Or. Rev. Stat. § 254.470).

Pennsylvania (1)

- Rights automatically restored upon release from incarceration ([Pennsylvania Department of State](#)).

Rhode Island (1)

- Rights automatically restored upon release from incarceration (17 R.I. Gen. Laws § 17-9.2-3).

South Carolina (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (S.C. Code Ann. § 7-5-120).



South Dakota (0)

- Additional action is required post-sentence for restoration of rights ([South Dakota Secretary of State](#)).

Tennessee (0)

- Additional action is required post-sentence for restoration of rights (Tenn. Const. art. 1, § 5).

Texas (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Tex. Elec. Code § 11.002).

Utah (1)

- Rights automatically restored upon release from incarceration (Utah Code Ann. § 20A-2-101.5).

Vermont (1)

- Voting rights are never lost (Vt. Const. Ch. II, § XLII).

Virginia (0)

- Additional action is required post-sentence for restoration of rights (Va. Const. art. II, § I).

Washington (1)

- Rights automatically restored upon release from incarceration (Wash. Rev. Code § 29A.08.520).

West Virginia (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (W. Va. Code §§ 3-1-3, 3-2-2).

Wisconsin (1/2)

- Rights lost until completion of sentence, including probation and parole, then automatically restored (Wis. Stat. § 6.03; Wis. Stat. § 304.078).

Wyoming (0)

- Additional action is required post-sentence for restoration of rights (Wyo. Stat. Ann. § 6-10-106).

Democracy Map & Additional Resources

- See our Democracy Map, [Voting Rights for Formerly Incarcerated Voters](#), which is updated in real time



movement advancement project ▶
