Voting Rights for Formerly Incarcerated People

No updates required since August 9, 2024

**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**

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
<th>List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional action is required post-sentencing to restore voting rights</td>
<td>10 states</td>
<td>Alabama, Arizona, Delaware, Florida, Kentucky, Mississippi, South Dakota, Tennessee, Virginia, Wyoming</td>
</tr>
<tr>
<td>Voting rights are lost until full completion of sentence, including probation and parole</td>
<td>15 states</td>
<td>Alaska, Arkansas, Georgia, Idaho, Iowa, Kansas, Louisiana, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Texas, West Virginia, Wisconsin</td>
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</tbody>
</table>
Voting rights are automatically restored upon release from incarceration

<table>
<thead>
<tr>
<th>23 states</th>
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<tbody>
<tr>
<td>California</td>
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<td>Colorado</td>
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<td>Hawaii</td>
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<td>Illinois</td>
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<td>Utah</td>
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<td>Washington</td>
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Voting rights are never lost

<table>
<thead>
<tr>
<th>2 states &amp; D.C.</th>
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</thead>
<tbody>
<tr>
<td>D.C.</td>
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<tr>
<td>Maine</td>
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<tr>
<td>Vermont</td>
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</tbody>
</table>

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)
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)


Connecticut (1)


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)


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)


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)


Massachusetts (1)

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

Michigan (1)


Minnesota (1)

- Rights automatically restored upon release from incarceration (MN HF 28 (2023)).
- Note, litigation brought in 2023 challenging the state’s new rights restoration law was rejected by the Minnesota Supreme Court.

Mississippi (0)

- Additional action is required post-sentence before rights are restored (Miss. Const. art. 12, § 241).

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 (1/2)

- Rights are lost until completion of sentence, including probation and parole, then automatically restored (Neb. Rev. Stat. § 32-313).

Nevada (1)

New Hampshire (1)

New Jersey (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)

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)

Democracy Map & Additional Resources
• See our Democracy Map, Voting Rights for Formerly Incarcerated Voters, which is updated in real time