Voting Rights for Formerly Incarcerated People

No updates required since July 19, 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>
</tr>
</tbody>
</table>
| 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](https://www.legis.state.al.us/statutes/2021/17-3-31)).

**Alaska** (1/2)
- Rights lost until completion of sentence, including probation and parole, then automatically restored ([Alaska Stat. § 15.05.030](https://www.alaska.gov/law/statute-search.aspx)).

**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)

Michigan (1)

Minnesota (1)
- Rights automatically restored upon release from incarceration (MN HF 28 (2023)).

Mississippi (0)
- Additional action is require 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)

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)


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.