

STATE OF ARIZONA
30th LEGISLATURE
1st REGULAR SESSION

SENATE

S. B. 233
INTRODUCED
February 16, 1971

Reported to Rules	Date	Reported Out
Committee of Whole		
3rd Reading	Aye	No Absent
House Action		
Sent to Governor		Action

Introduced by Senator O'Connor

AN ACT

RELATING TO CRIMES; PROVIDING FOR RESTORATION OF CIVIL RIGHTS AFTER
CONVICTION IN A FEDERAL COURT, AND AMENDING TITLE 13, CHAPTER 6,
ARIZONA REVISED STATUTES, BY ADDING ARTICLE 12.

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 13, chapter 6, Arizona Revised Statutes,
3 is amended by adding article 12, sections 13-1751 to 13-1754,
4 inclusive, to read:

New
Art.

5 ARTICLE 12. RESTORATION OF CIVIL RIGHTS
6 AFTER CONVICTION IN U. S. DISTRICT COURT

New
Sec.

7 13-1751. Definition
8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:
9 1. "CIVIL RIGHTS" MEANS ALL THE CIVIL RIGHTS CONFERRED
10 ON A PERSON BY THE CONSTITUTION AND LAWS OF THIS STATE AND
11 INCLUDES THE CIVIL RIGHTS REFERRED TO IN ARTICLE 7, SECTION
12 2, OF THE CONSTITUTION OF ARIZONA.

New
Sec.

13 13-1752. Persons completing probation
14 A. A PERSON WHOSE PERIOD OF PROBATION HAS BEEN COMPLETED
15 MAY HAVE ANY CIVIL RIGHTS WHICH WERE LOST OR SUSPENDED BY HIS
16 FELONY CONVICTION IN A UNITED STATES DISTRICT COURT RESTORED
17 BY THE PRESIDING JUDGE IN THE COUNTY IN WHICH HE NOW RESIDES,
18 UPON FILING OF AN AFFIDAVIT OF DISCHARGE FROM THE JUDGE WHO
19 DISCHARGED HIM AT THE END OF THE TERM OF PROBATION.

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1 B. UPON PROPER APPLICATION, A PERSON WHO HAS BEEN DIS-
2 CHARGED FROM PROBATION PRIOR TO THE ADOPTION OF THIS ARTICLE
3 MAY HAVE ANY CIVIL RIGHTS WHICH WERE LOST OR SUSPENDED BY
4 HIS FELONY CONVICTION RESTORED BY APPLICATION TO THE PRESID-
5 ING JUDGE OF THE SUPERIOR COURT IN THE COUNTY IN WHICH HE
6 NOW RESIDES. THE ATTORNEY GENERAL SHALL PROCESS THE APPLICA-
7 TION UPON REQUEST OF THE PERSON INVOLVED OR HIS ATTORNEY.

New
Sec.

8 13-1753. Applications by persons discharged
9 from federal prison

10 A. UPON PROPER APPLICATION, A PERSON WHO HAS RECEIVED
11 AN ABSOLUTE DISCHARGE FROM IMPRISONMENT IN A FEDERAL PRISON
12 MAY HAVE ANY CIVIL RIGHTS WHICH WERE LOST OR SUSPENDED BY
13 HIS CONVICTION RESTORED BY THE PRESIDING JUDGE OF THE SUPERIOR
14 COURT IN THE COUNTY IN WHICH HE NOW RESIDES.

15 B. AN APPLICATION FOR RESTORATION OF CIVIL RIGHTS SHALL
16 BE ACCOMPANIED BY A CERTIFICATE OF ABSOLUTE DISCHARGE FROM
17 THE DIRECTOR OF THE FEDERAL BUREAU OF PRISONS, UNLESS IMPOS-
18 SIBILITY TO OBTAIN SUCH CERTIFICATE IS SHOWN. THE ATTORNEY
19 GENERAL IS RESPONSIBLE FOR PROCESSING APPLICATIONS FOR
20 RESTORATION OF CIVIL RIGHTS UPON REQUEST OF THE PERSON IN-
21 VOLVED OR HIS ATTORNEY.

New
Sec.

22 13-1754. Restoration of civil rights in
23 the discretion of the presiding
24 judge of the superior court

25 THE RESTORATION OF CIVIL RIGHTS UNDER PROVISIONS OF THIS
26 ARTICLE IS WITHIN THE DISCRETION OF THE PRESIDING JUDGE OF
27 THE SUPERIOR COURT IN THE COUNTY IN WHICH THE PERSON RESIDES.