

The Electoral (Prisoner Voting) Amendment Bill 2018

A Bill has been introduced to Parliament proposing that prisoners serving a sentence of 3 years or more will be disqualified from voting in a state election while they are serving their sentence.

The same restriction already applies for federal elections, and there are also restrictions on prisoner voting in all other states and territories except the ACT.

Prisoners serving 3 years or more

The Bill outlines that a person serving a sentence of 3 years or more, at the time of the close of rolls for a state election, will be disqualified from voting while they are serving their sentence.

The proposed restriction will also apply to people serving a sentence of 3 years or more in home detention.

A young person who is serving a sentence of 3 years or more in a training centre, and reaches the eligible voting age during that period, would also be affected.

Prisoners serving multiple sentences will be restricted from voting if their combined sentence is 3 years or more and they are in detention.

Prisoners serving a sentence of less than 3 years will continue to be eligible to vote while they are serving their sentence.

The amendments in the Bill will not apply to people who are detained under the mental impairment provisions of the *Criminal Law Consolidation Act 1935*.

Enrolment and voting

Prisoners affected by the restrictions outlined in the Bill would remain on the electoral roll, and be eligible to vote after their release.

For information about the processes for prisoner enrolment and voting, see the [Electoral Commission SA Special enrolment categories page](#).

This amendment will not impact on the eligibility of prisoners to vote in local government elections.