



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 1, 2020

[REDACTED]
[REDACTED]
[REDACTED]
(via email – [REDACTED])

Re: Response to Request for Advisory Opinion F-20-13

Dear [REDACTED]

On July 6, 2020, we received from you the attached request for an advisory opinion pursuant to the procedure articulated by the court in Jones et al. v. DeSantis et al.; U.S. District Court, Northern District, Case No. 4:19cv300-RH/MJF.

Specifically, you requested:

A statement of the amount of any fine or restitution that must be paid to make you eligible to vote and an explanation of how the amount was calculated.

Although the district court's decision has been reversed by the 11th Circuit Court of Appeals, the Division is responding to your request pursuant to its legal authority under section 106.23(2), Florida, Statutes, and Florida Administrative Code Rule 1S-2.010, in that you are an individual seeking to be involved in political activity (voting) and the inquiry concerns that activity (eligibility to vote).

Rule 1S-2.010(f) requires the requestor to provide the precise factual circumstances giving rise to the request. Although in your written request you did not provide specific information regarding your felony conviction, and as a result, your request would not otherwise satisfy the requirements of the Rule, you did provide some information. Specifically, you indicated that you may have been convicted of one felony and that you completed all supervision over 12 years ago. You also indicated that you believed that you paid all fines and restitution, but you did not indicate any payment or non-payment information or belief as to fees or costs. Based on the information

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provided, Division of Elections staff located credible and reliable information pertaining to the following felony conviction in ██████████ County for you:

- 1) █████-CF-█████
Amount of restitution ordered in sentencing documents: \$4,160.00
Amount of restitution paid: \$4,160.00
Amount of court costs and fees ordered in sentencing documents: \$473.00
Amount of court costs and fees paid: \$0.00

Please see attached Comprehensive Case Information System record regarding amounts ordered at sentencing as well as the relevant judgment and sentencing documents. It does not appear that any payments toward the court costs and fees have been paid. Based upon such credible and reliable information, the Division of Elections finds that the amount of money related to your felony conviction in the above-referenced case that must be paid to make you eligible to vote is **\$473.00**. See Article VI, Fla. Const. and section 98.0751, Fla. Stat. (articulating restoration of voting rights upon all terms of a felony sentence)..

You may wish to consult section 98.0751(2)(a)5.e., Florida Statutes, for alternative paths to monetarily satisfying the terms of the sentences such as seeking a waiver from the court or conversion of the amounts to community service and subsequent completion of such service.

Please note that the finding in this opinion is based upon a case located from the identifying information you provided. You have not indicated any specific convictions in any statewide or national jurisdictions and the Division does not opine as to whether any other convictions exist nor whether any such other convictions would interfere with eligibility. If you have any other felony convictions other than the one noted above, please advise and we will gladly research further to ascertain whether any other amounts ordered and unpaid likewise preclude you from voting at this time.

Thank you for submitting your request. Should you have any questions, please don't hesitate to contact us.

Sincerely,

Florida Division of Elections