



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 23, 2020

[REDACTED]
[REDACTED]
[REDACTED]

Re: Response to Request for Advisory Opinion F-20-19

Dear [REDACTED]:

On September 8, 2020, we received from you the attached re-submitted request for an advisory opinion, still pursuant to the form and 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 un-checked the initial boxes about seeking an amount of fees and costs owed and submitting a financial declaration, and instead checked the box stating:

I believe I am unable to pay the required amount. I am disabled and can no longer work.

As an attorney from the Office of General Counsel discussed with you over the phone upon submission of your re-submitted request, following the reversal of the district court's decision by the 11th Circuit Court of Appeals, there is no provision in law for restoration of voting rights upon establishing an inability to pay legal financial obligations included in the sentencing documents. During that conversation, you modified your request to seek any amount of any fines, fees, costs, and restitution owing from felony convictions in Seminole and Volusia counties. You further provided information regarding the nature and timeframe of your convictions.

The Division responds 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).

Division of Elections
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6200 • 850.245.6217 (Fax) • DOS.MyFlorida.com/elections



The Division of Elections staff located the following felony cases with convictions in ██████████ County:

- 1) █████-CF-█████
Amount ordered at sentencing: \$255
Amount paid: \$0.00
- 2) █████-CF-█████
Amount ordered at sentencing: \$2,940 (restitution)
Amount paid: \$0.00
- 3) █████-CF-█████
Amount ordered at sentencing: \$300 (restitution)
Amount paid: \$0.00
- 4) █████-CF-█████
Amount ordered at sentencing: \$40 (restitution)
Amount paid: \$0.00

The Division of Elections staff located the following felony case with a conviction in ██████████ County:

- 1) █████-CF-█████
Amount ordered at sentencing: \$873.00
Amount paid: \$873.00¹

There is no indication in the records available to us that the above-noted legal financial obligations in the ██████████ cases have been paid, nor did you provide any facts or circumstances in your request that they have been paid. The Division of Elections finds that the amount of legal financial obligations related to your felony conviction in the above-referenced cases that must be paid to make you eligible to vote is **\$3,535.00**. *See* Article VI, Fla. Const. and section 98.0751, Fla. Stat. (articulating restoration of voting rights upon all terms of a felony sentence). Please see attached Comprehensive Case Information System records as well as the judgments and sentencing documents.

You may wish to consult section 98.0751(2)(a)5.e., Florida Statutes, for alternative paths to monetarily satisfying the terms of the sentence 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 cases located from the personal identifying and county of conviction 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

¹ *See* Clerk of Court entry dated ██████████, stating account paid in full.

with eligibility. If you have any other felony convictions other than those in the case numbers 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