



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

May 4, 2022

Ms. [REDACTED]

(via email – [REDACTED])

Re: Response to Request for Advisory Opinion F-22-1

Dear Ms. [REDACTED],

On February 3, 2022, 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 checked the boxes on the form stating that you believe you are unable to pay any fine or restitution stemming from a felony conviction and stating that you were submitting a financial declaration. In the pages following the form, you described a specific felony conviction and ultimately asked for an advisory opinion on whether you owe a fine or restitution that makes you ineligible to vote.

Although the district court's decision has been reversed by the 11th Circuit Court of Appeals, making inability to pay not a factor for consideration in the legal analysis of whether voting rights have been restored, the Division is responding to the remainder of 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).

Based on the information provided, Division of Elections staff located credible and reliable information pertaining to the following felony conviction in [REDACTED] County for you:

- 1) [REDACTED]-CF-[REDACTED]
Amount of restitution ordered in sentencing documents: \$0
Amount of restitution paid: \$0

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](https://dos.myflorida.com/elections)



Amount of costs, fines, and fees ordered in sentencing documents: \$24,668.00
Amount of costs, fine, and fees paid: \$2,821.83

Please see attached Comprehensive Case Information System record regarding amounts ordered at sentencing as well as the relevant judgment and sentencing documents. 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 **\$21,846.17**. *See* Article VI, Fla. Const. and section 98.0751, Fla. Stat. (articulating restoration of voting rights upon all terms of a felony sentence). Please note that under the statute, interest that accrues after the fact is not included in the amount that must be satisfied in order to restore voting rights.

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 the case located from the identifying information you provided. You have not indicated any other 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