



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

May 12, 2023

[REDACTED]  
c/o [REDACTED]

Via Email: [REDACTED]

Re: Response to Request for Advisory Opinion – F-23-10

Dear Mr. [REDACTED],

We received on April 26, 2023, your request for an advisory opinion. You indicate that you have one or more felony convictions and that your request is on whether you are eligible to vote, including whether you have any outstanding legal financial obligations under section 98.0751, Florida Statutes, which would otherwise make you ineligible to vote and if so, a statement of the amount that must be paid to make you eligible to vote, and an explanation of how the amount was calculated.

The Division hereby responds to your request pursuant to its legal authority under section 106.23(2), Florida Statutes, and Florida Administrative Code Rule 1S-2.010, to provide an advisory opinion to you as an individual seeking to be involved in a political activity (voting) and the particular activity in your inquiry (eligibility to vote).

Per Rule 1S-2.010(4)(f), the requestor must provide the precise factual circumstances giving rise to the request. In your request, you identify yourself as [REDACTED] and give your date of birth as [REDACTED]. Additionally, you referenced two counties in which you believe you have been convicted of a felony offense, but you did not provide any additional information such as the number of offenses, the case numbers for those offenses, the years that those offenses took place, whether you believe you have paid all of your outstanding legal financial obligations, whether you have completed any prison or community control portions of your sentences, or any information as to whether you have satisfied any restitution orders. The Division's ability to determine an individual's eligibility to vote is hampered when it does not receive such information.

**Division of Elections**  
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Nonetheless, the Division was able to find the following felony cases associated with your file:

1. [REDACTED]-CF-[REDACTED]
2. [REDACTED]-CF-[REDACTED]
3. [REDACTED]-CF-[REDACTED]
4. [REDACTED]-CF-[REDACTED]
5. [REDACTED]-CF-[REDACTED]
6. [REDACTED]-CF-[REDACTED]

As it relates to case [REDACTED]-CF-[REDACTED], our records indicate that you were adjudicated guilty of one felony offense and sentenced to sixty months in prison on October 6, 2004. You were also ordered to pay **\$444.00** in fines, fees, and costs related to your felony offense. Our records further indicate that you have not paid any of your outstanding fines, fees, and costs stemming from case [REDACTED]-CF-[REDACTED]. Accordingly, the Division finds that you owe **\$444.00** stemming from your felony conviction in case [REDACTED]-CF-[REDACTED].

As it relates to case [REDACTED]-CF-[REDACTED], our records indicate that you were adjudicated guilty of one felony and sentenced to 21 months in prison on January 14, 2020. You were also ordered to pay **\$818.00** in fines, fees, and costs. Our records indicate that you have paid \$285.15 towards the fines, fees, and costs stemming from your felony conviction in case [REDACTED]-CF-[REDACTED]. Accordingly, the Division finds that you owe **\$532.85** stemming from your felony conviction in case [REDACTED]-CF-[REDACTED].

As it relates to case [REDACTED]-CF-[REDACTED], our records indicate that you were adjudicated guilty of one felony and sentenced to 72 months of prison on October 6, 2004. You were also ordered to pay **\$444.00** in fines, fees, and costs related to your felony offense. Our records indicate that you have not paid anything towards your outstanding fines, fees, and costs stemming from case [REDACTED]-CF-[REDACTED]. Accordingly, the Division finds that you owe **\$444.00** stemming from your felony conviction in case [REDACTED]-CF-[REDACTED].

As it relates to case [REDACTED]-CF-[REDACTED], our records indicate that you were adjudicated guilty of one felony and sentenced to 5 years of prison on August 27, 2004. You were also ordered to pay **\$569.00** in fines, fees, and costs related to your felony offense. Our records indicate that you have paid all of your fines, fees, and costs stemming from case [REDACTED]-CF-[REDACTED]. Accordingly, the Division finds that you owe **\$0.00** stemming from your felony conviction in case [REDACTED]-CF-[REDACTED].

As it relates to case [REDACTED]-CF-[REDACTED], our records indicate that you were adjudicated guilty of one felony and sentenced to 3 years of prison, followed by 5 years of probation on July 14, 1995. You subsequently violated your probation and were re-sentenced to 85.8 months in prison on June 13, 1999. A review of our records did not reveal a document ordering you to pay any fines, fees, or costs pursuant to your felony conviction. Accordingly, while you may still owe money to the Clerk of Court for case [REDACTED]-CF-[REDACTED], the Division has no credible and reliable evidence as to the amount of money the court ordered you to pay as a result of your felony conviction. The Division thus errs

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in favor of you, the voter, and finds that no amount (\$0) in case █████-CF-█████ is required to be paid for purposes of restoring voting rights.

As it relates to case █████-CF-█████, our records indicate that you were adjudicated guilty of one felony and sentenced to 6 months of jail on February 28, 2011. You were also ordered to pay \$508.00 in fines, fees, and costs related to your felony offense. Our records indicate that you have paid all of your fines, fees, and costs stemming from case █████-CF-█████. Accordingly, the Division finds that you owe \$0.00 stemming from your felony conviction in case █████-CF-█████.

The Division of Elections finds that the amount of legal financial obligations related to your felony conviction in the above-referenced case that must be paid to make you eligible to vote is \$1,420.85. See Article VI, Fla. Const. § 98.0751(1), (2)(a)5.b., Fla. Stat. (articulating restoration of voting rights upon completion of a felony sentence including the payment of all fines, fees, and costs). We conclude based upon the information we located, that you are ineligible to vote.

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

Sincerely,

Florida Division of Elections