



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 26, 2023

[REDACTED]

c/o [REDACTED]

[REDACTED]

Via Email: [REDACTED]

Re: Response to Request for Advisory Opinion – F-23-14

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:

In Bay County:

1. ■-CF-■
2. ■-CF-■
3. ■-CF-■
4. ■-CF-■
5. ■-CF-■

In Leon County:

6. ■-CF-■

As it relates to case ■-CF-■, our records indicate that adjudication for the charged felony offense was withheld on July 23, 2002. Accordingly, your voting rights were not affected by this case. *See* § 98.0751, Fla. Stat. (Articulating that it is a felony conviction that disqualifies an individual from voting).

As it relates to case ■-CF-■, our records indicate that you were adjudicated guilty of one felony and sentenced to 2 years of probation on April 11, 2007. You were also ordered to pay **\$1,174.50** in fines, fees, and costs. Our records indicate that you have paid all of your outstanding 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-■.

As it relates to case ■-CF-■, our records indicate that you were adjudicated guilty of one felony offense and sentenced to 1 year of community control followed by 4 years of probation on December 12, 2011. You were ordered to pay **\$1,127.00** in fines, fees, and costs. Our records indicate that you have paid all of your outstanding 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-■.

As it relates to case ■-CF-■, our records indicate that you were adjudicated guilty of two felony offenses and sentenced to 1 year of community control followed by 4 years of probation on December 12, 2011. You entered a plea and were jointly sentenced in this case and case ■-CF-■. Accordingly, since the Division has found that you owe **\$0.00** in case ■-CF-■, the Division likewise finds that you owe **\$0.00** in case ■-CF-■.

As it relates to case ■-CF-■, our records indicate that you were adjudicated guilty of one felony offense and sentenced to 24 months of probation on August 27, 2018. You were ordered to pay **\$1,127.00** in fines, fees, and costs. You were subsequently found to have violated your probation on March 29, 2023, re-sentenced to 82 days of jail, time-served, and ordered to pay an additional **\$250.00** in fines, fees, and costs. Our records indicate that you have paid **\$1,127.00**

towards your outstanding fines, fees, and costs stemming from case █████-CF-█████. Accordingly, the Division finds that you owe **\$250.00** stemming from your felony conviction in case █████-CF-█████.

As it relates to case █████-CF-█████, our records indicate that you were adjudicated guilty of one felony offense and sentenced to 60 months of prison on February 27, 2020. You were ordered to pay **\$50,250.00** in fines, fees, and costs. Our records indicate that you have not paid any of your outstanding fines, fees, and costs stemming from case █████-CF-█████. Accordingly, the Division finds that you owe **\$50,250.00** stemming from your felony conviction in case █████-CF-█████.

The Division of Elections finds that the amount of legal financial obligations related to your felony convictions in the above-referenced cases that must be paid to make you eligible to vote is **\$50,500.00**. 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.

Nothing in this opinion should be construed as evaluating your voting eligibility with respect to any other felony convictions you may have, given the incomplete information you have provided to the Division. If there are additional cases or convictions you would like the Division to examine, please don't hesitate to contact us.

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

Sincerely,

Florida Division of Elections