



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 10, 2022



Re: Response to Request for Advisory Opinion – F-22-7

Dear Mr. [REDACTED],

We received on September 9, 2022, your attached request for an advisory opinion. You indicate that you have more than one felony conviction and that your request is on whether you are eligible to vote in Florida, 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. You reference one federal case in which you believe you were adjudicated guilty of committing at least one felony:

(1) [REDACTED]-CR-[REDACTED]

You also provided what appears to be a receipt from the Southern District of Florida indicating that you paid \$100 towards your financial obligations in that case.

As it relates to your case, (1) [REDACTED]-CR-[REDACTED], you were originally sentenced to a term of 48 months federal prison, followed by three years supervised release on May 18, 2018. As part of your sentence, you were ordered to pay \$100.00 in fines, fees, and costs. You attached a receipt from the federal district court indicating that you paid the \$100.00 on July 16, 2018. On April 27,

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2020, the court issued an amended judgment, ordering your release from federal prison and the commencement of your three-year supervised release. The court did not alter the financial obligations in your judgment. Then, on July 7, 2022, the district court ordered the termination of your supervised release.

The Division of Elections evaluates federal felony convictions by applying Florida law. The Division thus finds that you were not convicted of a permanent disqualifying offense, you are not currently incarcerated, and you are not currently on probation or some other type of supervised release.

Additionally, the Division 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 **\$0.00**. *See* Article VI, Fla. Const. § 98.0751, Fla. Stat. (articulating restoration of voting rights upon completion of a felony sentence). We conclude based upon the information that you provided, and we verified, that you are eligible to vote.

Please note that the finding in this opinion is based solely upon the single case located from the personal identifying information you provided in your request for an advisory opinion. You have not indicated any specific convictions in any statewide or other 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.

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

Sincerely,

Florida Division of Elections