



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-23-19

Dear Mr. [REDACTED],

We received on May 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 one county 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 Escambia County:

1. █████-CF-█████

In Santa Rosa County:

2. █████-CF-█████

A thorough review of your charges and court proceedings reveal that the felony charges against you in both, did not result in a disposition of “guilty.” In case █████-CF-█████ the charges were not pursued by the State Attorney and in case █████-CF-█████ the court rendered a judgment of “adjudication withheld.” An individual only loses the right to vote when he or she is convicted of a felony offense. § 98.0751(1), Fla. Stat. Since neither of these cases resulted in a felony conviction, your right to vote has not been impacted by them.

Based on these cases, and *only* these cases, you are eligible to vote. Nothing in this opinion should be construed as evaluating your voting eligibility with respect to any other felony convictions you may have. If there are additional cases or convictions you would like the Division to examine, please don’t hesitate to contact us.

Sincerely,

Florida Division of Elections