



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

May 9, 2023

Mr. [REDACTED]  
c/o [REDACTED]  
Campaign Legal Center

Via Email: [REDACTED]

Re: Response to Request for Advisory Opinion – F-23-3

Dear Mr. [REDACTED],

We received from your attorneys, on April 5, 2023, a request for an advisory opinion on your voting eligibility in Florida. Your attorneys indicate that you were convicted of at least one felony and that you are requesting an advisory opinion on whether you are eligible to vote under section 98.0751, Florida Statutes.

Based on the additional information provided by your attorneys, 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 provided information on the following case:

1. KX-[REDACTED]-[REDACTED]

A thorough review of your charges and court proceedings reveal that your conviction in case KX-[REDACTED]-[REDACTED] was for a misdemeanor.

A conviction for a misdemeanor does not make you ineligible to vote in Florida. *See* Art. VI, § 4, Fla. Const. (“No person convicted of a felony . . . shall be qualified to vote or hold office until restoration of civil rights or removal of disability.”).

**Division of Elections**  
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In previous correspondence with our office, we informed you that the single document you provided was insufficient for us to make an eligibility determination because it was unclear how many convictions you had, whether those convictions were for misdemeanors or felonies, and what sentences were imposed as a result of those convictions. In reliance on statements made by your attorney, an officer of the court and a sworn member of the bar, confirming these issues, the Division now issues this advisory opinion on your Florida voting eligibility.

Accordingly, based on this case, and *only* this case, your misdemeanor conviction does not make you ineligible to vote in Florida. 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