

Let's share the good news!



Most Floridians with felony convictions* can now vote!

Amendment 4 passed in 2018 and on May 24, 2020, a federal judge expanded the right to vote.

FOR MOST CITIZENS WITH FELONY CONVICTIONS, if you have a felony conviction and have completed incarceration and probation or parole then:

- 1. You do not need to pay court fees and costs in order to register to vote and then vote.** The judge said court fees and costs are taxes and a person does not need to pay taxes to be able to vote.
- 2. If you know you cannot afford to pay restitution or fines then you can register to vote and then vote.**
- 3. If you cannot figure out the amount of restitution or fines you owe after you make a good effort to get that information, you can register to vote and then vote** because the judge said confusing records should not prevent you from voting.
- 4. If you know the amount of restitution and fines that you owe and you can afford to pay, you must pay them before you can register to vote and then vote.** If you have questions about whether you can afford to pay restitution and fines or not, you can ask the state for guidance with a - **Request for an Advisory Opinion.** (See below).

NOTE: The 'new' Florida voter registration form (dated 2019) is NOT LAWFUL. **Only use the older application (dated 2013).**

Request for an Advisory Opinion

If your sentence includes restitution or fines, you may ask for an Advisory Opinion from the Division of Elections (DOE) about what amount you have to pay before you can vote. You may also send in an affidavit to the DOE showing that you have an inability to pay. If the DOE does not answer you in twenty-one days, then you can register to vote and then vote and election officials cannot initiate or assist any prosecution for registering to vote or voting. **This is a very important benefit.**

In addition, the Judge created some more guidelines:

If you have completed your incarceration and probation or parole, and any ONE of the situations below apply to you:

- a. the judge converted the restitution and or fine to a civil lien, **OR**
- b. you had a public defender at your last felony charge, **OR**
- c. you sent in an affidavit of your finances with your voter registration application, that would get you a public defender,

then you can register to vote and then vote, unless the state can give you real and reliable evidence that you can pay the fines and or restitution of your sentence.

*Persons convicted of murder or felony sex offenses (see FS 98.0751) can only vote by obtaining clemency from the governor. fcor.state.fl.us/clemency.shtml

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FAQ **If you have a felony and completed incarceration and probation or parole then answers to some frequently asked questions can be found below:**

- 1. If you are unable to pay what is owed on your sentence** then you can register to vote and then vote.
- 2. If you are unable to determine how much you owe of either fines or restitution after you have made a good effort,** then you can register to vote and then vote.
- 3. If you only owe costs or fees,** you can register to vote and then vote without paying the costs and fees.
- 4. If your fine or restitution was converted to a civil lien,** you can register to vote and then vote unless the State can provide real and reasonable evidence that you can actually pay.
- 5. If you know what is owed on your fine or restitution and you can afford to pay them,** you have to pay them before you can register to vote and then vote.
- 6. If you file a Request for an Advisory Opinion from the Division of Elections (DOE) about what you must pay in restitution or fines to be able to vote, or you send DOE an affidavit showing your finances and the DOE does not answer within 21 days,** you can register to vote and then vote and the election officials are ordered not to start or assist in any prosecution for voting.
- 7. There is no requirement to request an Advisory Opinion.** If you choose to do so and the state does not reply within **21 days** you obtain protection from prosecution.
- 8. What organization can I contact if I need help getting registered?** Contact the Florida Rights Restoration Coalition. If you have questions about registering to vote, you can contact the FRRRC: 1-877-698-6830. You may also call the League and leave your name, phone, and email and we will try to get the answer to you. The League phone number is: (201) 304-7881.
- 9. Do returning citizens need to bring proof of a completed sentence before registering? No.** The responsibility of the citizen is to honestly affirm that, by completing the terms of their sentence, their voting rights have been restored.
- 10. Where can I find general voting/election information?** Visit VOTE411.org to check your voting status and register to vote. The County Supervisors of Elections in Florida provide voter services, run elections, and offer voter education.
- 11. Where can I find more information online about whether I've completed the terms of my sentence?** Go to these websites: (i) FI Dept of Law Enforcement. fdle.state.fl.us (ii) FI Clerks of County Courts for the County where you were convicted. flclerks.com (iii) FI Dept. of Corrections. dc.state.fl.us

This Guidance is intended to provide overall information about Voting Rights in Florida after passage of Amendment 4 and the Federal Court Order determining Voting Rights. The League is not guaranteeing any outcome. For a deeper understanding please consult an attorney and or read the Order. tinyurl.com/LWVFL-Amendment4