

CAN I VOTE IF I HAVE A PAST FELONY CONVICTION?

INTRODUCTION

On May 24, 2020, a federal court ruled that many Floridians with felony convictions are eligible to register to vote and vote even if they still owe money from their felony conviction(s).

As a result of this court decision, you may be eligible to vote even if you still owe unpaid money from your conviction. If you have been convicted of a felony other than murder or a sexual offense, and if you have completed prison, probation and parole, the following information can help you understand the court's ruling.

SUMMARY

If you only owe court "costs" and/or "fees," you are eligible to register and vote. If the court sentenced you to pay a "fine" or "restitution" to a victim but you are unable to pay, you are eligible to register and vote.

The three questions below are meant to guide your determination

1. Do you only owe court "costs" and/or "fees"? (no "restitution" or "fines")
2. If you owe "restitution" and/or "fines," were those financial obligations converted to a civil lien?
3. Did you have a public defender for your most recent felony conviction?

If you answered YES to one or more of the questions above, you may register and vote. No additional action is required. If you are unsure of the exact amount you owe, but you know that you genuinely cannot afford to pay the money you owe, you may register and vote.

DETERMINING WHAT YOU OWE AND WHETHER YOU CAN PAY

1. If you answered **NO** or **I DON'T KNOW** to all of the above questions, consider completing a [short form](#) requesting an advisory opinion from the Florida State Division of Elections. The Division of Elections can assist you in determining how much you owe and whether you are considered unable to pay if:
 - a. You do not know whether you owe "restitution" or "fines";
 - b. You know that you owe "restitution" and/or "fines," but you do not know whether you can afford to pay because you do not know how much you owe; or
 - c. You know how much you owe, but you do not know whether you are considered unable to pay.
 - You may submit a financial affidavit to the Division of Elections along with your request for an advisory opinion; or
 - You may submit a financial affidavit with your voter registration application
2. If the Division of Elections does not provide you with an advisory opinion within 21 days after receiving your request, you may register and vote.
3. You are not required to request an Advisory Opinion, but it may help you decide whether you are eligible to vote, and protect you if election officials later conclude that you're not eligible.

If you were convicted of [murder or a felony sex offense](#) in Florida, you are not eligible to register and vote unless your voting rights were restored by the Florida Executive Clemency Board. For more information about applying for clemency, visit the Clemency Board's website at www.fcor.state.fl.us/restoration.shtml

If you are not yet eligible under these rules, but your conviction is from another state and your rights were restored under that state's laws, you may register and vote.

DISCLAIMER: ACLU, ACLU of Florida, NAACP-LDF, Brennan Center, and Southern Poverty Law Center represent multiple clients in a challenge to SB7066's LFO requirements. This information does not represent an endorsement of those requirements or waiver of any legal claims. This card is a resource, not legal advice. It is provided for informational purposes only and not as a substitute for or supplement to the legal advice necessary to address the specific concerns of any individual. Moreover, Florida law may change after the publication of this card. Therefore, it is your responsibility to determine how all applicable laws concerning voter registration, voting, and the restoration of voting rights in Florida affect you. **Distributed May 29, 2020.**