

# MEMORANDUM

Agenda Item No. 7(A)

---

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** (Second Reading: 9-6-23)  
April 4, 2023

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance relating to campaign  
finance reports; amending  
section 12-7 of the Code;  
establishing minimum standards  
for the municipal publication of  
candidate campaign finance  
reports; requiring municipalities  
to publish municipal candidate  
campaign finance reports on the  
municipality's website; requiring  
municipalities to certify  
compliance with such  
requirements within a specified  
timeframe

---

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan Carlos Bermudez and Co-Sponsors Commissioner Kevin Marino Cabrera and Senator René García.



---

Geri Bonzon-Keenan  
County Attorney

GBK/jp

MDC001

# Memorandum



**Date:** September 6, 2023

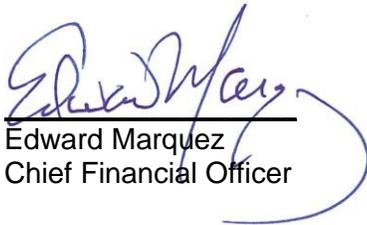
**To:** Honorable Chairman Oliver G. Gilbert III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Fiscal Impact Statement for Ordinance Relating to Municipal Websites Campaign Contributions

---

The implementation of this Ordinance will not have a fiscal impact to Miami-Dade County.

  
Edward Marquez  
Chief Financial Officer

# Memorandum



**Date:** September 6, 2023

**To:** Honorable Chairman Oliver G. Gilbert III  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** Social Equity Statement for Ordinance Relating to Municipal Websites Campaign Contributions

---

The implementation of this Ordinance could provide a social benefit to residents of Miami-Dade County as it creates more transparency on candidates running for office and simultaneously provides additional information for voters, via the added requirements for municipalities to publish municipal candidate campaign finance reports on their websites.

  
Edward Marquez  
Chief Financial Officer



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Oliver G. Gilbert, III  
and Members, Board of County Commissioners

**DATE:** September 6, 2023

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 7(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 7(A)  
9-6-23

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO CAMPAIGN FINANCE REPORTS; AMENDING SECTION 12-7 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA; ESTABLISHING MINIMUM STANDARDS FOR THE MUNICIPAL PUBLICATION OF CANDIDATE CAMPAIGN FINANCE REPORTS; REQUIRING MUNICIPALITIES TO PUBLISH MUNICIPAL CANDIDATE CAMPAIGN FINANCE REPORTS ON THE MUNICIPALITY'S WEBSITE; REQUIRING MUNICIPALITIES TO CERTIFY COMPLIANCE WITH SUCH REQUIREMENTS WITHIN A SPECIFIED TIMEFRAME; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, section 106.07 of the Florida Statutes requires each candidate's campaign to file regular reports of all contributions received and all expenditures made on behalf of a candidate ("campaign finance reports") with the officer before whom the candidate is required by law to qualify; and

**WHEREAS**, the qualifying officer in each municipality receives and maintains campaign finance reports from candidates for municipal office; and

**WHEREAS**, ease of access to the campaign finance reports is necessary for the public to make informed decisions about candidates; and

**WHEREAS**, facilitating the public's access to candidates' campaign finance reports encourages accountability among elected officials; and

**WHEREAS**, these campaign finance reports are public records and are accessible by the public; and

**WHEREAS**, the County and several municipalities, including the City of Miami, publish a website where the public can access a campaign's campaign finance reports and view a candidate's campaign contributions and expenditures; and

**WHEREAS**, the Miami-Dade Home Rule Charter authorizes the Board of County Commissioners to establish reasonable minimum standards for the performance of any service or function by a government unit, including municipalities; and

**WHEREAS**, this Board desires to require all municipalities to, at a minimum, make information about contributions to the campaigns of municipal candidates more broadly and easily accessible to the public by publishing campaign finance reports for each candidate's campaign for municipal office,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** The foregoing recitals are incorporated as if set forth herein and are approved.

**Section 2.** Section 12-7 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 12-7. - ~~[[Reserved.]]~~ >>Municipal publication of candidate campaign finance reports.**

**(a) Each municipality must, at a minimum, publish the following on the municipality's website:**

- (1) A list of all current candidates for municipal office in the municipality;**
- (2) The campaign finance reports for such current candidates, filed in**

---

<sup>1</sup> Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

accordance with section 106.07, Florida Statutes, within seven (7) days of receipt of such reports by the municipality;

(3) A list of all candidates in the previous two elections for municipal office in the municipality; and

(4) The campaign finance reports for such previous candidates, filed in accordance with section 106.07, Florida Statutes, within six (6) months of the effective date of this ordinance.

(b) The campaign finance reports published pursuant to subparagraphs (a)(2) and (a)(4) above shall show all contributions received by the candidate's campaign and all expenditures made on behalf of the candidate within the reporting period.<<

**Section 3.** Within six (6) months of the effective date of this ordinance, each municipality shall certify in writing to the Board of County Commissioners that it has complied with the requirements of section 2 of this ordinance.

**Section 4.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 5.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of section 2 of this ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

**Section 6.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of section 3 of this ordinance shall be excluded from the Code of Miami-Dade County.

**Section 7.** This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

GBK  
SMG

Prepared by:

Sophia Guzzo  
Michael B. Valdes

Prime Sponsor: Commissioner Juan Carlos Bermudez  
Co-Sponsors: Commissioner Kevin Marino Cabrera  
Senator René García