

# MEMORANDUM

Agenda Item No. 5(A)

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**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** April 1, 2025

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

**SUBJECT:** Ordinance relating to the unauthorized sale of public service appointments; creating section 21-49.3 of the Code; prohibiting the sale of public service appointments offered by the Miami-Dade County Office of the Tax Collector; amending section 8CC-10; providing penalties

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



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Geri Bonzon-Keenan  
County Attorney

GBK/uw

MDC001



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** April 1, 2025

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

**SUBJECT:** Agenda Item No. 5(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 \_\_\_\_, majority plus one \_\_\_\_, 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) \_\_\_\_, 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. 5(A)  
4-1-25

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

ORDINANCE RELATING TO THE UNAUTHORIZED SALE OF PUBLIC SERVICE APPOINTMENTS; CREATING SECTION 21-49.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROHIBITING THE SALE OF PUBLIC SERVICE APPOINTMENTS OFFERED BY THE MIAMI-DADE COUNTY OFFICE OF THE TAX COLLECTOR; AMENDING SECTION 8CC-10; PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners, in cooperation with the Miami-Dade County Office of the Tax Collector, seeks to address a widespread emerging phenomenon colloquially known as “reservation scalping,” in which unauthorized third parties are reserving free appointments in bulk and reselling them to members of the public for a profit; and

**WHEREAS**, the unauthorized sale of public service appointments often entails using automated bots to hoard reservations, making it difficult for members of the public to secure free appointments directly from a government office; and

**WHEREAS**, this unauthorized practice can result in unsuspecting customers paying for appointments that should be free, customers unwittingly providing payment information to a third party not affiliated with the government office, a false demand for public services, and government offices losing control of their scheduling systems; and

**WHEREAS**, the Miami-Dade County Office of the Tax Collector now provides driver license services at two of its existing locations and is in the process of assuming nine driver license offices currently operated by the Florida Department of Highway Safety and Motor Vehicles and has encountered reservation scalping at multiple locations, which negatively affects the provision of public services and the customer experience; and

**WHEREAS**, the Miami-Dade County Office of the Tax Collector has and will continue to institute technology and process improvements to address the issue of reservation scalping but has also requested support from this Board in establishing civil penalties to further deter such unauthorized practices,

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

**Section 1.** Section 21-49.3 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:<sup>1</sup>

>>**Sec. 21-49.3. Unauthorized sale of public service appointments.**

- (a) It shall be unlawful and a violation of this section for any person, entity or platform to list, post, sell, or promote the sale of public service appointments offered by the Miami-Dade County Office of the Tax Collector without its express written consent.
- (b) Any person who violates any provision of this section shall be subject to fines in accordance with chapter 8CC and to any penalties or remedies provided in section 1-5 and chapter 8CC, as applicable. Each violation of this section shall constitute a separate offense.<<

**Section 2.** Section 8CC-10 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

**Sec. 8CC-10. Schedule of Civil Penalties.**

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<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.

Code Section	Description of Violation	Civil Penalty
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\* \* \*

21-49.2	Failure to ensure acknowledgment of disclosure statement appears as required on instrument of conveyance or lease	1,000.00
>>21-49.3<<	>> <u>Unauthorized sale of public service appointments</u> <<	>>500.00<<
21-50	Aiming a laser pointer at an aircraft, manned police vehicle, or air traffic control tower	1,000.00

**Section 3.** 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 4.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, 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 5.** 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:



Prepared by:

Anita Viciano Zapata  
Jorge Martinez-Esteve

Prime Sponsor: Commissioner Kevin Marino Cabrera

Co-Sponsors: Commissioner Juan Carlos Bermudez  
Senator René García  
Commissioner Micky Steinberg