

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 19, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution supporting House Bill
47 or similar legislation that
would create a criminal penalty
for individuals who counterfeit,
forge, alter, clone or possess a
fraudulent proof of vaccination
against a disease, with the intent
to defraud

Resolution No. R-998-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 19, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

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. 11(A)(5)
10-19-21

RESOLUTION NO. R-998-21

RESOLUTION SUPPORTING HOUSE BILL 47 OR SIMILAR
LEGISLATION THAT WOULD CREATE A CRIMINAL
PENALTY FOR INDIVIDUALS WHO COUNTERFEIT, FORGE,
ALTER, CLONE OR POSSESS A FRAUDULENT PROOF OF
VACCINATION AGAINST A DISEASE, WITH THE INTENT
TO DEFRAUD

WHEREAS, vaccination is a means of protecting against a targeted infectious disease; and

WHEREAS, given the potential of vaccines to reduce or even eradicate dangerous diseases, they are critical to federal, state and local efforts to promote public health and community safety; and

WHEREAS, coronavirus disease 2019 (“COVID-19”), an infectious disease caused by severe acute respiratory syndrome coronavirus 2, was first identified in late 2019, and spread globally in 2020; and

WHEREAS, in response to the threat to public health posed by the virus, three COVID-19 vaccines have been developed and authorized for use in the United States, each of which has been shown to be effective at protecting the recipient against infection, including severe disease; and

WHEREAS, those vaccines have been purchased and distributed by the federal government, to be administered at vaccination sites across the country; and

WHEREAS, the United States Centers for Disease Control and Prevention has developed COVID-19 vaccination record cards, to be distributed to persons who receive a COVID-19 vaccine; and

WHEREAS, these vaccination record cards are the primary form of proof of a person's COVID-19 vaccination in the United States; and

WHEREAS, federal agencies report that fraudulent COVID-19 vaccination record cards are currently being created, sold, and disseminated, often through online channels and platforms; and

WHEREAS, widespread dissemination of illegitimate proof of COVID-19 vaccination could circumvent efforts to contain the spread of the disease as well as undermine public faith in all vaccine cards; and

WHEREAS, individuals who intentionally misrepresent their vaccine history may jeopardize their own health as well as the health of those with whom they come into contact; and

WHEREAS, additionally, purchasers of fraudulent vaccination cards could facilitate commission of further fraud by sellers, who may obtain and use the purchaser's personal information without authorization for malicious purposes; and

WHEREAS, House Bill ("HB") 47 has been filed for consideration during Florida's 2022 legislative session by Representative Michael Grieco (D – North Bay Village); and

WHEREAS, HB 47 would make it a felony of the third degree to counterfeit, forge, alter, clone or possess, with intent to defraud, a certificate, card or other physical or electronic medium that falsely indicates that the holder of the medium has been vaccinated against a specific disease; and

WHEREAS, this Board supports HB 47 or similar legislation that would create a criminal penalty in Florida for those who intentionally create or possess fraudulent proof of vaccination against a disease,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Supports House Bill 47 or similar legislation that would create a criminal penalty for individuals who counterfeit, forge, alter, clone or possess a fraudulent proof of vaccination against a disease, with the intent to defraud.

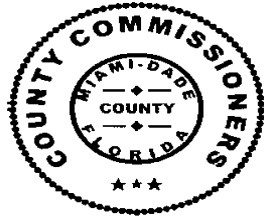
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Representative Michael Grieco and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the legislation set forth in section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2022 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	nay
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 19th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Melissa Adames
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "KMM", is written over a horizontal line.

Kevin Marker