ORDINANCE NO. 2021-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 8, "ELECTIONS," SECTION 8-51, "OATH; CAMPAIGN FINANCE REPORTS; STATEMENT OF FINANCIAL INTERESTS; FEE," IN ORDER TO PROVIDE FOR THE ELECTRONIC FILING AND POSTING OF CAMPAIGN TREASURER'S REPORTS AS WELL AS PENALTIES AND TECHNICAL ASSISTANCE REGARDING SAME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature has enacted legislation that requires all candidates for state offices to file their campaign treasurer reports electronically with the Department of State; and

WHEREAS, the Broward County Supervisor of Elections Office is supportive of having Broward County cities require all candidates for municipal office to file their campaign treasurer reports electronically via the VR Systems software; and

WHEREAS, the City of Coconut Creek (City) has been committed to the use and implementation of technology to improve government efficiency, make government user-friendly, and whenever possible, reduce the demands on resources; and

WHEREAS, the City has the authority under Section 106.07(2)(a)2., Florida Statutes, as amended from time to time, to impose electronic filing requirements for campaign finance reports required to be filed by each person, candidate, political committee, electioneering communications organization or other individual or organization required to file such reports pursuant to Chapter 106, Florida Statutes; and

WHEREAS, the City Commission believes that the implementation of a mandatory electronic filing system for campaign treasurer reports would continue the commitment

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WHEREAS, the City Commission finds that such a system is consistent with applicable Florida laws.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 8, "Elections," Section 8-51 to add subsections 8.51 (c) "Electronic Reporting," (d) "Electronic Posting," (e) "Penalties," and (f) "Technical Assistance," to read as follows:

(c) Electronic Reporting.

Candidates for city office shall file their Campaign Treasurer's Reports electronically with the City Clerk or Deputy City Clerk. The City Clerk shall determine the required format for the Campaign Treasurer's Reports and shall provide copies of the form upon request. For purposes of this section, "Campaign Treasurer's Reports" or "Reports" shall mean the reports required of the campaign treasurers of candidates pursuant to Section 106.07, Fla.Stat., as amended from time to time. Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated on the reporting dates provided by the City Clerk, or Deputy City Clerk, as the filing officer. Reports not filed by midnight of the day designated are late filed and subject to the penalties below, and all other applicable penalties.

(d) Electronic Posting.

Campaign Treasurer's Reports submitted by candidates for city office shall be posted on the City's website by the City Clerk Department within three (3) business days of date of the electronic filing by such candidate. The City reserves the right, prior to posting, to review all filings and redact any material that would violate any copyright, trademark, patent or other proprietary rights of others, or any language, pictures, or symbols that in

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Words in <u>underline</u> type are additions to existing text.

Asterisks (***) indicate existing text not shown.

any way violate any federal, state, or local law or any information that is exempt and/or confidential.

e) Penalties.

In addition to any other penalties which may be applicable, any individual who violates this section shall be subject to a fine in accordance with Section 106.07, Fla.Stat., as amended from time to time.

f) Technical Assistance.

The City Clerk, or Deputy City Clerk, shall provide technical assistance to candidates regarding the electronic filing requirements herein as requested.

<u>Section 3:</u> That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

<u>Section 5:</u> <u>Codification.</u> That the provisions of this ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 9TH DAY OF AUGUST, 2021.

PASSED SECOND READING THIS 26TH DAY OF AUGUST, 2021.

Rebecca A. Tooley, Mayor

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Attest:	
Marianne Bowers, Interim City Clerk	—

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	Aye
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Welch	Aye	Aye
Railey	Aye	Aye

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