

1 EXHIBIT 1

2 ORDINANCE NO. 20-
3

4 AN ORDINANCE OF THE MAYOR AND CITY
5 COMMISSION OF THE CITY OF HALLANDALE BEACH,
6 FLORIDA, AMENDING CHAPTER 12, "ELECTIONS." OF
7 CITY OF HALLANDALE BEACH CODE OF ORDINANCES,
8 BY CREATING SECTION 12-07, ENTITLED "CAMPAIGN
9 FINANCE REPORTS"; PROVIDING FOR CONFLICTS;
10 PROVIDING FOR SEVERABILITY; PROVIDING FOR
11 CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

12
13 **WHEREAS**, the State legislature has enacted legislations that requires all
14 candidates for state offices to file their campaign treasurer reports electronically with
15 the Department of State; and

16 **WHEREAS**, Broward County currently requires all candidates for Broward County
17 office to file their campaign treasurer reports electronically with the Supervisor of
18 Elections in Broward County; and

19 **WHEREAS**, the City of Hallandale Beach remains committed to the use and
20 implementation of technology and certain platforms to improve government efficiency,
21 to make government more accessible and user-friendly, and whenever possible, reduce
22 the demands on our resources; and

23 **WHEREAS**, the City of Hallandale Beach has the authority under Section
24 106.07(2)(a)2, Florida Statutes, to impose electronic filing requirements for campaign
25 finance reports required to be filed by each person, candidate, political committee,
26 electioneering communications organization or other individual or organization required
27 to file such reports pursuant to Chapter 106, Florida Statutes, where not inconsistent
28 with Section 106.0705, Florida Statutes; and

29 **WHEREAS**, the City Commission believes that the implementation of a mandatory
30 electronic filing system for campaign treasurer reports will continue the commitment
31 referenced above; and

32 **WHEREAS**, the City Commission finds that such a system is consistent with
33 applicable Florida laws and best serves the health, safety, and welfare of the citizens
34 and residents of the City of Hallandale Beach.

35 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
36 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**
37

38 **SECTION 1.** The foregoing "Whereas" clauses are hereby incorporated herein.

39 **SECTION 2.** CHAPTER 12 – ELECTIONS of the City of Hallandale Beach Code
40 of Ordinances, is hereby amended to include Section 12-07, CAMPAIGN FINANCE
41 REPORTS, to read as follows:

42 SEC. 12-07, CAMPAIGN FINANCE REPORTS
43

44 a) Electronic Reporting.
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46 Candidates for the Office of Mayor or City Commissioner shall file their
47 Campaign Treasurer's Reports electronically with the City Clerk. The City
48 Clerk shall determine the required format for the Campaign Treasurer's
49 Reports and shall provide copies of the form upon request. For purposes of
50 this Section, "Campaign Treasurer's Reports" or "Reports" shall mean the
51 reports required of the campaign treasurers or candidates pursuant to Section
52 106.07, Florida Statutes, as may be amended from time to time. Reports filed
53 pursuant to this section shall be completed and filed through the electronic
54 filing system not later than midnight of the day designated. Reports not filed
55 by midnight of the day designated are late filed and subject to the penalties
56 below, and all other applicable penalties, as otherwise provided by law.
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58 b) Electronic Posting.
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60 Campaign Treasurer's Reports submitted by candidates for the Office of
61 Mayor or City Commissioner shall be posted on the City's website by the City
62 Clerk within three (3) business days of the date of the electronic filing by such
63 candidate, or any other time period as may be established by applicable law.
64 The City reserves the right, but does not assume the obligation, prior to
65 posting, to review all filings and redact any material that in its reasonable view
66 would violate copyright, trademarks, patent or other proprietary rights of
67 others, or any language, pictures, or symbols that in any way violate any
68 federal, state, or local law.
69

70 c) Penalties.

71 In addition to any other penalties that may be applicable, and as otherwise provided by
72 law, any individual who violates this section shall be subject to a fine up to fifty dollars
73 (\$50.00) per day for the first three (3) days late and, thereafter, five hundred dollars

(\$500.00) per day for each day late, not to exceed twenty-five percent (25%) of the total receipts or expenditures, whichever is greater, for the period covered by the late Report. If it is determined by a court that has jurisdiction over an alleged violation of this Ordinance that unusual circumstances caused the Campaign Treasure's Report to be filed late, then the City will request that no fine be imposed by the court. As used herein, "unusual circumstances" shall mean uncommon, rare or sudden events over which the actor has no control, and which directly result in the failure to act according to the filing requirements. Unusual circumstances must occur within a time period that would clearly prevent the person legally responsible for filing the Report from doing so in a timely manner. However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

For 90 day termination reports, the fine is \$50 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

d) Training Assistance.

The City Clerk shall provide training assistance to candidates regarding the electronic filing requirements herein.

SECTION 3. CONFLICTS

All Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, shall be and the same are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY

If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance.

SECTION 5. INCLUSION IN CODE

It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Hallandale Beach Code; and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "section," "article," or such appropriate word or phrase in order to accomplish such intentions.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon adoption.

