

RESOLUTION NO. 50-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 106.07(2)(A)2., FLORIDA STATUTES, REQUIRING SUBMISSION OF CAMPAIGN FINANCE REPORTS THROUGH AN ELECTRONIC FILING SYSTEM; ESTABLISHING REQUIREMENTS FOR THE SYSTEM; ESTABLISHING REQUIREMENTS FOR SYSTEM ACCESS AND USEAGE; DESCRIBING APPLICABLE EXEMPTIONS FROM PUBLIC RECORDS LAW; AUTHORIZING THE CITY CLERK TO PROMULGATE RULES AND OTHER GUIDANCE RELATED TO THE SYSTEM; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, Chapter 106, Florida Statutes, requires candidates for statewide office to file campaign finance reports electronically; and

WHEREAS, Section 106.07(2)(a)2., Florida Statutes, authorizes the City of Lake Worth Beach ("City") to impose electronic filing requirements upon candidates for Mayor and City Commissioner that are not in conflict with Section 106.0705, Florida Statutes; and

WHEREAS, Section 106.03(3), Florida Statutes, requires that the campaign finance reports of political committees registered with the City Clerk in accordance with that section be subject to the same filing conditions as established for the campaign finance reports for candidates; and

WHEREAS, the City Commission finds that the electronic filing of campaign finance reports by candidates and political committees will promote accuracy, efficiency, and transparency, and serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The foregoing recitals and findings are incorporated into the Resolution as true statements.

Section 2. The City Clerk is hereby directed to establish and authorized to promulgate rules and other guidance related to use of an internet-based system for recording and reporting campaign finance activity in accordance with this Resolution and Section 106.07(2)(a)2., Florida Statutes ("System").

Section 3. At all times, the System must comply with applicable provisions of federal, state, and local law, including Section 106.0705(5), Florida Statutes, and the provisions of Florida law regarding public records.

Section 4. The City Clerk is responsible for administering the credentials through which each user securely accesses the System; which may consist of a username, password, PIN, digital certificate, or other industry-standard authentication factor ("Credentials").

Section 5. Before midnight at the end of the applicable due date, each report of campaign finance activity that must be filed with the City Clerk pursuant to Chapter 106, Florida Statutes, ("Report") must be filed with the City Clerk through the System.

Section 6. Each person who uses the System is subject to the following requirements:

- (a) Credentials are approved on an individual basis and may not be shared-even with members of the same Campaign or Committee. Each user who is approved for Credentials is responsible for protecting those Credentials from disclosure or compromise. Once Credentials have been approved for a user, that user is deemed responsible for every Report filed using those Credentials until such time as the City Clerk is notified of disclosure or compromise of those Credentials.
- (b) By filing a Report through the System, a person (i) is deemed to have electronically signed the Report under oath and to have certified the correctness of the Report in accordance with applicable law; (ii) is responsible for the accuracy and veracity of the Report; and (iii) is deemed to have committed a criminal act by certifying a Report that is known to be incorrect, false, or incomplete.

Section 7. Information held by the Department of State used to authenticate a user and Credentials approved for a user are confidential and exempt from disclosure pursuant to Section 106.0706(1), Florida Statutes. Information entered into the System for purposes filing a Report is exempt from disclosure pursuant to Section 106.0706(2), Florida Statutes, until the Report has been filed; at which point the filed Report becomes a public record.

Section 8. All resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 9. Should any section or provision of this Resolution or portion hereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Resolution.

Section 10. This Resolution shall become effective immediately upon its passage.

The passage of this Resolution was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice-Mayor Christopher McVoy
Commissioner Sarah Malega
Commissioner Kimberly Stokes
Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk