

RESOLUTION 2023 - 46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, IMPLEMENTING THE PROVISION 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 USAGE; DESCRIBING APPLICABLE EXEMPTIONS FROM PUBLIC RECORDS LAW; AUTHORIZING THE CITY CLERK TO PROMULGATE RULES AND OTHER GUIDANCE RELATED TO THE SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Florida Statutes, section 106.07(2)(a)2 authorizes the City of Pahokee (the “City”) to impose electronic filing requirements upon candidates for Mayor-Commissioner and Commissioner that are not in conflict with Florida Statutes section 106.0705; and

WHEREAS, Florida Statutes Section 106.07(3), requires that the campaign finance reports of political committees registered with the City Clerk in accordance with Florida Statutes Section 106.03(3) be subject to the same filing conditions as established for the campaign finance reports for candidates; and

WHEREAS, the City finds that electronic filing of campaign finance reports by candidates and political committees will promote accuracy, efficiency, and transparency.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA THAT ALL CANDIDATES AND POLITICAL COMMITTEES SHALL FILE CAMPAIGN FINANCE REPORT ELECTRONICALLY, IN ACCORDANCE WITH THE FOLLOWING:

Section 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby approved and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Definitions. For purposes of this resolution, the following definitions apply:

- (a) “**Campaign**” means the campaign of a person seeking elective office within the City that is required by law to file a Report.
- (b) “**Committee**” means a political committee that is required by law to file a Report.
- (c) “**Report**” means a report of campaign finance activity that must be filed with the City Clerk pursuant to Florida Statutes chapter 106.
- (d) “**System**” means the Internet-based system established by the City for recording and reporting campaign finance activity in accordance with this resolution.

Section 3. Requirement to File Electronically. Unless an alternative filing procedure has been authorized by the City Clerk in accordance with section 8, each Report must be filed with the City Clerk through the System before midnight at the end of the applicable due date.

Section 4. System Requirements. At all times, the System must comply with applicable provisions of federal, state, and local law, including Florida Statutes section 106.0705(5) and provisions of Florida law regarding public records.

Section 5. Access to System. 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 (generally, “Credentials”).

Section 6. Usage Requirements. 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. Public Records. Information used to authenticate a user and Credentials approved for a user are confidential and exempt from disclosure. Information entered into the System for purposes filing a Report is exempt from disclosure until the Report has been filed, at which point the filed Report becomes a public record.

Section 8. Implementation. The City Clerk is authorized to promulgate any rules, forms, procedures, or other guidance needed to give full effect to this resolution. At a minimum, the City Clerk shall provide alternate filing procedures to be used (i) in the event that the System is temporarily unavailable and (ii) to the extent required by the Americans with Disabilities Act of 1990 or other applicable law.

Section 9. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 22th day of August, 2023.

Keith W. Babb, Jr., Mayor

ATTEST:

Tijauna Warner, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Gonzalez	_____ (Yes)	_____ (No)
Commissioner Perez	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)