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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, August 19, 2015 8:51 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** MDC Code Section 12-14.1 (absentee ballot campaigning reporting requirement) INQ 15-174  
**Attachments:** MiamiDadeCountyOrdinance 13-05 Reporting Requirements - Jan23\_2013.pdf; INQ # 13-78 - Absentee Ballot Request Forms.pdf

INQ 15-174 Hannon

-----Original Message-----

From: Centorino, Joseph (COE)  
Sent: Tuesday, August 11, 2015 5:01 PM  
To: Hannon, Todd (thannon@miamigov.com)  
Cc: Diaz-Greco, Gilma M. (COE); Perez, Martha D. (COE); Thompson, Robert A. (COE); Murawski, Michael P. (COE); Rosenthal, Oren (CAO)  
Subject: INQ 15-174 MDC Code Section 12-14.1 (absentee ballot campaigning reporting requirement)

Mr. Hannon:

You have made inquiries in connection with Section 2-4.1 of the Miami-Dade County Code, which creates a requirement that campaigns report the names of paid campaign workers who are participating in absentee ballot activities. Specifically, you have asked 1) whether a paid campaign worker who distributes "absentee ballot forms" is covered by this section; 2) whether a paid campaign worker who distributes campaign literature that includes a form to be filled out and used by a voter to request an absentee ballot from the Miami-Dade County Elections Department is covered by the section; and 3) whether a paid campaign worker at a campaign event who provides an absentee ballot request form for the voter to mail to the MDC Elections Department is covered by this section.

In response to your inquiry, I would advise you that the intent of the ordinance is very broad in requiring that virtually any paid campaign worker who interacts personally, by telephone, in writing, by email or any other electronic communication with one or more voters in connection with any activity related to absentee ballots or absentee voting is required to be identified in the report filed with the Elections Department. This would include paid workers involved with any of the above-mentioned activities, all of which are connected to absentee ballots or absentee voting to some extent. It makes no difference whether the activity involves the handling of absentee ballots, instructions for requesting or filling out absentee ballots, assistance of any kind to a voter in completing absentee ballots, the provision to voters of forms to request absentee ballots either individually or as attachments to campaign literature, or the provision of information to voters regarding absentee ballots through any medium. I recognize that this may present some difficulties in monitoring such activity, particularly in a campaign that may have numerous paid workers. I suggest that the person from the campaign designated to maintain or gather the information make a good faith effort to list any and all individuals who are paid by the campaign and who is known or reasonably expected to be involved in any of the aforesaid activities.

If you have any further questions, please let me know.

Sincerely,

Joseph M. Centorino  
Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust

From: Hannon, Todd [thannon@miamigov.com]  
Sent: Friday, July 24, 2015 1:53 PM  
To: Thompson, Robert A. (COE)  
Subject: Question regarding MDC Code Section 12-14.1 (absentee ballot campaigning reporting requirement)

Good afternoon Mr. Thompson,

Thank you again for allowing the City of Miami to host the MDC Commission on Ethics and Public Trust's "Clean Campaign Class" at Miami City Hall. It was very informative and as you might expect, brought up a few questions that I would like to request clarification on.

In particular, I have a question regarding MDC Code Section 12-4.1 (absentee ballot campaigning reporting requirement). I would like to know if paid campaign workers, whether employed by the campaign or any consultant or agent of the campaign, participating in activities involving the distribution of "absentee ballot request forms" are covered under Section 12-4.1?

For example, if a paid campaign worker is walking door-to-door distributing campaign literature that includes a form that allows a voter to request an absentee ballot directly from the Miami-Dade County Elections Dept., does this activity fall under Section 12-4.1? Additionally, if a paid campaign worker is at a campaign event and provides an absentee ballot request form to a voter for the voter to mail to the MDC Elections Dept., would this activity fall under Section 12-4.1?

I was reviewing your website and came across Commission on Ethics INQ #13-7B (attached) which seems to make a distinction between activities involving absentee ballots and activities involving absentee ballot request forms. After reviewing the holding associated with INQ #13-7B, could one assume that paid campaign workers do not fall under Section 12-4.1 if they are only distributing absentee ballot request forms?

Thank you for your assistance with my question.

Have a nice weekend!

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Todd B. Hannon  
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