

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, March 26, 2018 9:22 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** J.C. Planas, Esq. (State/County Ethics Training for Elected Officials) INQ 18-70

INQ 18-70 Planas

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**From:** Centorino, Joseph (COE)  
**Sent:** Friday, March 23, 2018 2:42 PM  
**To:** 'J.C. Planas' <jcplanas@kymplaw.com>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>  
**Cc:** Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Thompson, Robert A. (COE) <Robert.Thompson@miamidade.gov>  
**Subject:** INQ 18-70 J.C. Planas, Esq. (State/County Ethics Training for Elected Officials)

J.C.,

There are two separate ethics training requirements for persons occupying elective positions in a governing body of a municipality.

Section 2-11.1(bb) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance requires that such an individual submit a certificate of completion of a course provided by the Miami-Dade County Ethics Commission to the clerk within ninety (90) days of being sworn into office. The course must cover the County Ethics Ordinance, Sunshine and Public Records Laws, and Citizens' Bill of Rights. It may be provided only under the authority of the County Ethics Commission. We have a two-hour course that we provide several times a year in different locations in the County for such officials. Robert Thompson in my office generally schedules such sessions and can provide that information to the official. In the event that there is no scheduled course that the official is able to attend prior to the expiration of the 90-day period, arrangements can be made for that individual to view a recorded version of the program at the office of the Commission on Ethics.

Section 112.3142, Florida Statutes, requires that each elected municipal official **annually** complete a four-hour ethics training program covering, at a minimum, s. 8 Art. II of the State Constitution, State Code of Ethics under Chapter 112, Florida Statutes, and the Florida Sunshine and Public Records Laws. The statute does not designate that the training be provided by any particular person or entity. This requirement may be satisfied by the official's receiving the training from any qualified presenter. This could be the municipal attorney or other qualified individual, or a course provided through the Florida Commission on Ethics, Florida League of Cities, Miami-Dade County League of Cities, all of which I understand provide such training in some form. The Florida Commission on Ethics provides ethics training videos in an online format that can be accessed through the agency's website. It is my opinion that the Miami-Dade County's two-hour course provided pursuant to Section 2-11.1(bb), and which includes relevant provisions of the State Ethics Code, may be applied toward the annual four-hour requirement imposed by the State. However, the County requirement is not satisfied by the completion of the State course, which does not cover the County Ethics Code. Again, the County requirement may be satisfied only by a course under the authority of the County Ethics Commission.

The ethics training that your client received as a member of a City Board does not satisfy the County requirement, and may not satisfy the State requirement either, although I am not in a position to provide an opinion concerning the satisfaction of the State requirement by that course under the circumstances related by you.

I hope this is helpful to you and your client.

Regards,

Joe Centorino

## *Joseph M. Centorino*

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**Subject:** Ethics Training for local officials.

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Gentlemen:

I have a client who was recently appointed as a North Bay Village Commissioner. She attended ethics training last year as part of the City Board she served on. We are inquiring if that is the same course she required to attend under F.S. 112.3142 as required in the financial disclosure form. She wants to be in complete compliance unlike her predecessor. Please let me know.



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