



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: All County and Municipal Elected Officials and Employees

FROM: Loressa Felix, General Counsel
Miami-Dade County Commission on Ethics and Public Trust

RE: Limitations on Political Activities of County and Municipal Officers and Employees

DATE: August 6, 2024

The County Supervisor of Elections advises that from August 2024 to December 2024, there are elections scheduled in several municipalities in Miami-Dade County. Consequently, together with our partner agencies, this annual reminder serves the purpose of underscoring limitations on the political activities of all county and municipal officers and employees during the current and upcoming election season.

The following limitations are imposed by Florida Statute, Sections 104.31, 106.113, 106.15, by the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance at Section 2-11.1 of the Code of Miami-Dade County, and other state laws, local ordinances and previously issued administrative orders:

- While all local officials and employees have a right to engage in political campaign activities, they must not use their official authority to influence another person's vote or to affect the outcome of an election.
- County and municipal staff wishing to be involved in political campaigns should limit such activity to off-duty hours.
- Paid political campaign work constitutes outside employment for county and municipal employees and must be reported to the supervisor of elections for county employees and to the municipal clerk for city employees.
- Political campaign activities may not involve the use of public resources in support of any political campaign or candidate, including office stationery, telephones, computers, or vehicles. Taxpayers' monies must be used exclusively for public purposes.
- Incumbent elected officials should not use their official positions or official functions to endorse or oppose candidates for public office.
- A local government or a person acting on behalf of local government may not expend or authorize the expenditure of public funds for any communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is

subject to a vote of the electors. This applies to a communication initiated by a local government or a person acting on behalf of a local government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of an issue, referendum, or amendment.

- No public official or employee may coerce anyone to support any candidate or to contribute to a political campaign.
- No one may solicit or accept a political contribution in a government building, unless that building has been rented for the purpose of holding a campaign fund raiser.
- Violations of these provisions may result in criminal charges, civil ethics or election violations, and/or administrative actions.

The prohibition against on-duty political activity does not prohibit casual political discussions in the workplace. Voluntary non-coercive speech of a political nature, like other non-work-related discussions on matters of public interest, is protected by the First Amendment provided that it does not interfere with the proper functioning of the workplace and the effective provision of public services.

Any public employee having knowledge of any violations of these prohibitions, or of any other illegal or improper activities in connection with the elections, should report these matters at once.

Agencies having jurisdiction over election complaints include the following:

Miami-Dade Commission on Ethics & Public Trust

305-579-2594 (office)

786-314-9560 (hotline)

Email: ethics@miamidade.gov

Website: ethics.miamidade.gov

Florida Elections Commission

850-922-4539 (office)

To file a complaint, visit their Website: fec.state.fl.us

Miami-Dade Office of the State Attorney

Public Corruption Unit

305-547-0664 (office)

305-547-3300 (hotline)

Website: miamisao.com

Miami-Dade Police Department

Public Corruption Investigations Bureau

305-599-3121 (office)

Email: pcsinfo@mdp.com

Florida Department of Law Enforcement

Miami Regional Operations Center

(786) 336-1000 (office)