



Rcpt: 1300799 Rec: 44.00
DS: 0.00 IT: 0.00
04/21/10 A. Giard, Dpty Clerk

RESOLUTION NO. 2010-3

A RESOLUTION OF THE CITY OF NEW PORT RICHEY, FLORIDA, IMPLEMENTING THE PROVISIONS OF SECTION 106.07(2)(a)2., FLORIDA STATUTES, REQUIRING ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS OF LOCAL CANDIDATES AND POLITICAL COMMITTEES; ESTABLISHING AN ELECTRONIC FILING SYSTEM AND REQUIRING A WRITTEN ACKNOWLEDGEMENT REGARDING CERTAIN MATTERS PERTAINING TO THE ELECTRONIC FILING SYSTEM.

PAULA S. O'NEILL, PASCO CLERK & COMPTROLLER
04/21/10 09:05am 1 of 5
OR BK 8314 PG 1588

WHEREAS, in accordance with the provisions of Section 106.07(2)(a)2., Florida Statutes, the City Council of the City of New Port Richey is authorized to require electronic filing, as provided for in Chapter 106, Florida Statutes, of candidates for elective office required to qualify for office with the City Clerk of the City of New Port Richey; and

WHEREAS, Section 106.07(3), Florida Statutes, requires the campaign finance reports specified in Chapter 106, Florida Statutes, of political committees that have registered with the City Clerk to be subject to the same filing conditions as established for the campaign finance reports of candidates for elective office within such city; and

WHEREAS, Brian Corley, Pasco County Supervisor of Elections has requested that the City Council of the City of New Port Richey adopt this Resolution so as to require electronic filing of said campaign finance reports; and

WHEREAS, by the adoption of this resolution, the City Council of the City of New Port Richey, Florida, intends to require the campaign finance reports of certain candidates for elective office within the City and of political committees registered within the City to be filed electronically with the City Clerk by means of the Pasco County's Supervisor of Elections electronic filing system in accordance with the provisions of Sections 106.07(2)(a)2 and 106.07(3), Florida Statutes.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of New Port Richey, Florida:

Section 1. Upon request of the City Council of the City of New Port Richey and pursuant to the provisions of Section 106.07(2)(a)2., Florida Statutes, the following persons and committees are required to electronically file finance reports:

- (a) Candidates for elective office within the City who are required by law to qualify before the City Clerk;
- (b) Political committees that are required by law to qualify before the City Clerk.

Electronic filing required. Pursuant to Sections 106.07(2)(a)2 and 106.07(3), Florida Statutes, the City Council of the City of New Port Richey hereby establishes the requirement that each campaign finance report of candidates, political committees and officers must be filed with the City Clerk by means of the Supervisor of Elections' electronic filing system:

Section 2. Electronic filing specifications. The Pasco County Supervisor of Elections is authorized and directed to develop and establish an electronic filing system, inclusive of such uniform procedures and forms as may be necessary and appropriate for the

implementation thereof. At a minimum, the electronic filing system shall satisfy the following requirements:

- (a) Be based on access by means of the Internet;
- (b) Be accessible by anyone with Internet access using standard web-browsing software;
- (c) Provide for direct entry of campaign finance information as well as upload of such information from campaign finance software certified by the Division;
- (d) Provide a method that prevents unauthorized access to electronic filing system functions;
- (e) Provide for the issuance of an electronic receipt to the person submitting a campaign finance report indicating and verifying that the same has been filed;
- (f) Include a conspicuous statement at or immediately following the log-in page that campaign finance reports must be completed and filed through the electronic filing system not later than midnight of the day required by law thereof, and that late-filed campaign finance reports are subject to the penalties prescribed under Section 106.07(8), Florida Statutes; and
- (g) Include a conspicuous statement at the prompt for submitting a campaign finance report that the same is considered to be certified as to correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, and by the political committee's chair and political committee's treasurer, in the case of a political committee, and that such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

Section 3. Acknowledgement. The City Clerk shall require each person given a secure sign-on to the electronic filing system to sign a written statement on a form prepared by the Pasco County Supervisor of Elections acknowledging the following:

- (a) Campaign finance reports must be completed and filed through the electronic filing system no later than midnight of the day required by law therefore.
- (b) Campaign finance reports not filed by midnight of the required day are deemed late-filed and are subject to the penalties prescribed under Section 106.07(8), Florida Statutes.
- (c) Campaign finance reports filed through the electronic filing system are considered to be certified as to the correctness within the meaning of Section 106.07(5), Florida Statutes, by the candidate and the candidate's treasurer, in the case of a candidate, or by the political committee's chair and the political committee's treasurer, in the case of a political committee, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

- (d) The person signing the statement is responsible for protecting the sign-on credentials from disclosure, and for all filing using such credentials, unless the person has notified the City Clerk that such credentials have been compromised.


Section 4. Alternative procedure. The Pasco County Supervisor of Elections is authorized and required to develop and establish an alternate filing procedure for campaign finance reports in the event the electronic filing system is not operable.

Section 5. Effective Date. This Resolution shall become effective on May 1, 2010.

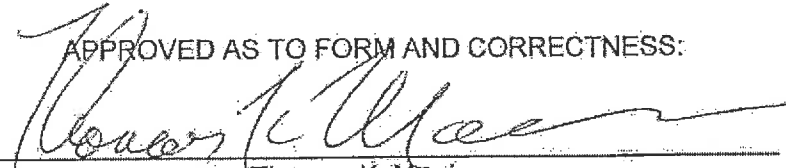
DONE AND RESOLVED this 6th day of April, 2010.

(SEAL)





Scott McPherson
Mayor

APPROVED AS TO FORM AND CORRECTNESS:


Thomas K. Morrison
City Attorney

APR 4 2010
CITY OF NEW PORT RICHEY
CLERK'S OFFICE
1000 W. PALM BEACH BLVD.
NEW PORT RICHEY, FL 34653
April 4, 2010