

MEMORANDUM

Office of the City Attorney

TO: Luwam Ghermay, Commission Relationship Manager
Mayor Scott J. Brook
Members of the Coral Springs City Commission

FROM: John J. Hearn, City Attorney
Sherry Whitacre, Senior Deputy City Attorney *SW*

RE: Annual Ethics Training in the Year Leaving Office

DATE: April 8, 2024

On behalf of Commissioner Joy Carter, you have asked if she must complete her annual training requirement this calendar year, as she will be leaving office due to being term limited in November 2024.

There are separate annual training requirements pursuant to Florida law and the Broward County Ethics Ordinance:

- Florida Statutes Section 112.3142 requires that elected municipal officials complete four (4) hours of ethics training annually. The training is required to be in the areas of the State Code of Ethics for Public Officers and Employees, and the State public records and public meetings laws.
- The Broward County Ethics Ordinance requires that elected officials complete four (4) hours of ethics training annually, which include the same areas detailed above in the State law requirement.

In Florida Commission on Ethics Opinion 15-05, the Commission opined that a City Council member did not need to complete the State law ethics training requirement in the calendar year in which they left office, and they opined that mandating that they do so would lead to an “absurd result.” The Commission reached this conclusion based on the Florida Legislature’s intent that an elected officer is only required to complete the required ethics training when they serve throughout the full calendar year.

As the Broward County Ethics Ordinance annual ethics training includes the same training areas as the State law requirement, it is our opinion that requiring an elected official to complete the Broward County Ethics Ordinance training would also lead to absurd result, as the official is not required to complete the same training under State law. Therefore, it is our opinion that Commissioner Carter does not need to complete ethics training this calendar year.

As always, should you have any questions, please let us know.

Ethics Opinion 2024-001