



## **GCDE ETHICS ADVISORY OPINION**

To: Councilmember Tim Fadgen

From: Kerry L. Ezrol, City Attorney *KLE*

Date: May 12, 2025

Re: City of Plantation (“City”) / Code of Ethics – Advisory Opinion – The Election of Brian Hodgers for State Representative for District 32 - Campaign Contribution Fundraising.

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### **I. ISSUE AND FACTS PRESENTED**

I have received and reviewed your email dated May 9, 2025 (“email”). In your email you advise:

1. You are a long-time friend of Brian Hodgers, who is running for State Representative for District 32.
2. Mr. Hodgers requested that you be a member of his host committee for a fundraiser for his election campaign.
3. You accepted his request to be a member of the Host Committee.
4. You will not be requesting any campaign contributions directly or indirectly on behalf of Mr. Hodgers.
5. Your involvement is limited to being listed as a member of the Host Committee.
6. You may or may not be able to attend a fundraiser for Mr. Hodgers on May 21<sup>th</sup>, 2025. If you are able to attend, you will only attend to show support and not request any contributions from any of the attendees.

Based on the foregoing, you have asked if you have completed the attached Broward County Elected Official Code of Ethics Campaign Fundraising for Other Candidates Disclosure Form (“Disclosure Form”) adequately.

### **II. ANSWER**

It is my opinion that the Disclosure Form is adequately completed. Further, you will be filing the Disclosure Form with the City Clerk.

Please note the following relevant provisions of the Code of Ethics:

"'Elected Official' means any member of the Board of County Commissioners and any Municipal Official as defined below". *Section 1-19(b)(3), Broward County Code of Ordinances.*

"'Filed for Public Inspection" means either (a) that the form is completed legibly and is filed with the applicable governmental entity's chief administrative official or clerk, with a copy of the form or all information contained thereon subsequently inputted into the applicable governmental entity's database, which database shall be searchable by internet; or (b) all required information, including an input date and electronic signature, is directly inputted into the database, which database is searchable by internet. For any municipality that does not maintain a website sufficient to meet the requirements of this paragraph, the form or information may be inputted into a database maintained by the Broward League of Cities, provided that database is searchable by internet." *Section 1-19(b)(4), Broward County Code of Ordinances.*

"An Elected Official who solicits campaign contributions for another candidate for public office must disclose, on a form created by the Office of the County Attorney, the name of the candidate for whom the Elected Official is soliciting, the location and date of any associated event, and both the name and contribution amounts of any individual who provided contributions, directly or indirectly, to the Elected Official for subsequent delivery to the candidate. The form must be filed for public inspection within fifteen (15) days after each time the Elected Official solicits funds. However, where any solicitation of funds results merely through the Elected Official being listed as a member of a host committee or merely through the Elected Official signing an endorsement card that authorizes the endorser's name to be used for fundraising activities (each, an "Indication of Support"), the Elected Official must file the required disclosure within fifteen (15) days after the earliest Indication of Support, and such disclosure will remain in effect until the conclusion of the applicable general election or for two (2) years from the date of filing such disclosure, whichever period is shorter, and the information contained thereon is not required to be updated during such period. The disclosure requirements in this subsection do not apply where an Elected Official merely endorses a candidate but does not expressly allow the candidate to use the Elected Official's name in any fundraising efforts, or where the Elected Official attends or speaks at any event, including campaign fundraising events, provided the Elected Official does not ask others to make any financial contribution to the candidate's campaign and further provided the Elected Official does not receive any campaign contributions for subsequent delivery to the candidate." *Section 1-19(c)(5)(b)(3), Broward County Code of Ordinances.*

## CONCLUSION

Based on the foregoing, it is the opinion of the City Attorney's Office that you have completed the Disclosure Form adequately. Further, you will be filing the Disclosure Form with the City Clerk.

This advisory opinion is issued pursuant to Section 1-19(c)(8) of the Broward County Code of Ordinances and may be relied upon by the individual who made the request. This analysis is limited solely to the facts presented. Please note that this advisory opinion must be sent in a searchable .pdf format to Broward County ([ethicsadvisoryopinions@broward.org](mailto:ethicsadvisoryopinions@broward.org)) within fifteen (15) days of receipt. Please contact our office if there is any additional information that we can provide.

KLE:jc  
Enclosure

**BROWARD COUNTY ELECTED OFFICIAL CODE OF ETHICS  
CAMPAIGN FUNDRAISING FOR OTHER CANDIDATES**

**DISCLOSURE FORM**

Name of Elected Official: Timothy J. FADGEN

Title: City Councilmember

Governmental Entity Served: City of Plantation

Name of candidate for whom you are soliciting campaign contributions:

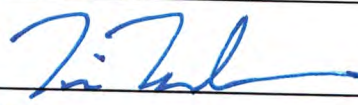
Brian HODGERS For State Representative For District 32

Location and date of any and all associated campaign events (attach other sheets if necessary):

Host Committee Member For THE Election of  
BRIAN HODGERS For State Representative for  
District 32

Name and contribution amount of any and all individuals who provided contributions to you, either directly or indirectly, for delivery to the candidate (attach other sheets if necessary):

Name of Contributor	Amount Contributed
N/A	N/A

Signature of Elected Official: 

Date: May 9, 2025