

Question Presented:

The question presented is whether an invitation extended to a City of Fort Lauderdale elected official to attend the 9th Annual Marine Research Hub Summit ("MRH Summit") on October 30, 2025, may be accepted. It is my understanding that the invitation was extended by The Marine Research Hub of South Florida, Inc. ("MRH"), a Florida not for profit corporation, which is neither a vendor nor lobbyist of the City. The invitation extended to all guests at the MRH Summit includes transportation *via* the Water Taxi, a full hot buffet breakfast, and a ticket to the Fort Lauderdale International Boat Show ("FLIBS"). MRH has indicated that the per person value of the breakfast is \$40.00, the transportation, donated to MRH by Water Taxi, is valued at \$15.00, and the ticket to the FLIBS, donated to MRH by Marine Industries Association of South Florida, is valued at \$46.00, for a total value of \$101.00.

Short Answer:

Inasmuch as the value of the gift to attend the MRH Summit will exceed \$100.00, it is my opinion that you may accept an invitation to attend the MRH Summit on October 30, 2025, only if \$1.00 is reimbursed to MRH within ninety days. In lieu of reimbursing \$1.00 to MRH, you may also decline the ticket to the FLIBS. Declining the FLIBS ticket would bring the total value of the gift under the \$100.00 threshold.

Discussion:Florida Code of Ethics for Public Officers and Employees:

The following Florida statutes should always be borne in mind when considering acceptance of a gift:

No public officer, employee of an agency, local government attorney, or candidate for nomination or election shall solicit or accept anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the public officer, employee, local government attorney, or candidate would be influenced thereby.

§112.313(2), Fla. Stat. (2025).

No public officer, employee of an agency, or local government attorney or his or her spouse or minor child shall, at any time, accept any compensation, payment, or thing of value when such public officer, employee, or local government attorney knows, or, with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer, employee, or local government attorney was expected to participate in his or her official capacity.

§112.313(4), Fla. Stat. (2025).

"Gift," for purposes of ethics in government and financial disclosure required by law, means that which is accepted by a donee or by another on the

donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days

....

§112.312(12)(a), Fla. Stat. (2025).

The value of a gift provided to a reporting individual or procurement employee shall be determined using actual cost to the donor, less taxes and gratuities, except as otherwise provided in this subsection, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided shall be used.

§112.3148(7)(a), Fla. Stat. (2025).

Subsection 112.3148(4), Florida Statutes (2025), prohibits a reporting individual from knowingly accepting, directly or indirectly, a gift from a vendor doing business with the reporting individual's agency if he or she knows or reasonably believes that the gift has a value in excess of \$100.00. "Vendor" is defined as "a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services." §112.3148(2)(f), Fla. Stat. (2025).

Each reporting individual or procurement employee shall file a statement with the Commission on Ethics not later than the last day of each calendar quarter, for the previous calendar quarter, containing a list of gifts which he or she believes to be in excess of \$100 in value, if any, accepted by him or her, for which compensation was not provided by the donee to the donor within 90 days of receipt of the gift to reduce the value to \$100 or less, except the following:

1. Gifts from relatives.
2. Gifts prohibited by subsection (4) or s. 112.313(4).
3. Gifts otherwise required to be disclosed by this section.

§112.3148(8)(a), Fla. Stat. (2025).

Considering a per-person value of \$101.00, assuming the gift was not intended to influence a vote or other action, under State law, attendance at the MRH Summit without reporting would require reimbursement to the MRH of the amount of \$1.00 within ninety days of receipt of the gift. Absent such reimbursement, and before considering the Broward County Code of Ethics for Elected Officials, the full value of the gift (\$101.00) would have to be reported on Form 9.

Broward County Code of Ethics for Elected Officials

Absent a definition of “gift” in the Broward County Code of Ethics for Elected Officials, Subsection 1-19(b), Broward County Code (2025), provides that operative words are defined as follows:

All operative words or terms used in this Elected Official Code of Ethics but not defined herein shall be as defined, in order of priority in the event of inconsistency, by Part III of Chapter 112, Florida Statutes, the Broward County Code of Ordinances, and the Broward County Administrative Code.

To reiterate,

“Gift,” for purposes of ethics in government and financial disclosure required by law, means that which is accepted by a donee or by another on the donee’s behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee’s benefit or by any other means, for which equal or greater consideration is not given within 90 days
. . . .

§112.312(12)(a), Fla. Stat. (2025).

The value of a gift provided to a reporting individual or procurement employee shall be determined using actual cost to the donor, less taxes and gratuities, except as otherwise provided in this subsection, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided shall be used.

§112.3148(7)(a), Fla. Stat. (2025).

Subsection 1-19(c)(1)a., Broward County Code (2025), provides:

No Elected Official or relative, registered domestic partner, or governmental office staff of any Elected Official, shall accept, directly or indirectly, any gift of food and/or nonalcoholic beverages with a value in excess of \$25.00 or any other gift with a value in excess of \$5.00, from lobbyists registered with the governmental entity on whose behalf they (or their registered domestic partner or relative) serve, or from any principal or employer of any such registered lobbyist, or from vendors or contractors of such governmental entity. In order to effectuate this provision, no lobbyist shall engage in any lobbying activity prior to registering as a lobbyist with the applicable governmental entity. For purposes of this paragraph, neither Broward County, any municipality within Broward County, nor any other governmental entity shall be considered a registered lobbyist, a principal or employer of a registered lobbyist, or a vendor or contractor of any governmental entity within Broward County.

Notwithstanding the prohibition of acceptance of gifts contained in the Broward County Code of Ethics for Elected Officials, admission to an Official Event is allowed as follows:

When not otherwise permitted by this part (c)(1), "Acceptance of Gifts," the following items may be accepted to the full extent permissible under state law:

* * *

4. Admission to an Official Event for an Elected Official, or governmental office staff of an Elected Official, as well as food, beverages, and commemorative items received by the Elected Official or governmental office staff of an Elected Official at the Official Event, valued at up to \$100.00 in total, provided that such food, beverages, and commemorative items are available to all attendees of the Official Event.

An Official Event is any event where:

- a. The Elected Official has made an objective, good-faith effort to determine that at least thirty (30) persons not affiliated with the donor have been invited to attend, including multiple Elected Officials; and the Elected Official attends the event in their official capacity; or
- b. The Elected Official's governmental entity has officially sponsored the event; or
- c. The Elected Official was invited to the event in their official capacity and the governmental entity's legal counsel or chief budget officer has determined in writing that attendance at the event serves a public purpose.

For purposes of this Section 1-19(c)(1)e.4., a person affiliated with a donor means:

- a. The donor's relative as defined in Section 112.3135, Florida Statutes;
- b. The donor's employee or employer; or
- c. Any person or entity engaged in or carrying on a business enterprise with the donor as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.

§1-19(c)(1)e.4., Broward County Code (2025).

MRH has indicated that at least 30 persons not affiliated with MRH have been invited to attend, including multiple elected officials. Accordingly, there is sufficient information to conclude that the MRH Summit qualifies as an Official Event pursuant to

Section 1-19(c)(1)e.4., Broward County Code (2025), assuming that you would attend the event in your official capacity.

Accordingly, inasmuch as the value of the gift is \$101.00, to accept the gift, the amount of money that would have to be reimbursed within ninety days is \$1.00, payable to MRH.

Conclusion:

In light of the foregoing, it is my opinion that a City of Fort Lauderdale elected official may accept an invitation to attend the MRH Summit on October 30, 2025, only if \$1.00 is reimbursed to MRH within ninety days. If the value exceeding \$100.00, in this case \$1.00, is reimbursed within ninety days, there is no State reporting requirement. In lieu of reimbursing the \$1.00 to MRH, you may also decline the ticket to the FLIBS. Declining the FLIBS ticket would bring the total value of the gift under the \$100.00 threshold.

Unfortunately, the part of this opinion construing the Florida Code of Ethics for Public Officers and Employees is not a binding opinion that can be relied on because only the Commission on Ethics, the telephone number of which is 850- 488-7864, issues binding opinions on the Florida Code of Ethics for Public Officers and Employees.

As to the Broward County Code of Ethics for Elected Officials, Subsection 1-19(c)(8)c., Broward County Code (2025), provides, with regard to binding municipal attorney advisory opinions:

The Elected Official shall ensure that, within fifteen (15) days after he or she receives an advisory opinion, the opinion is sent in searchable "pdf" format to ethicsadvisoryopinions@broward.org for inclusion in the searchable database of advisory opinions to be maintained by the County.

The City Attorney's Office will forward this opinion to the searchable database of advisory opinions maintained by the County on your behalf. If you have any questions, please feel free to contact me.