

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Renier Diaz De La Portilla,  
Respondent

Case No.: FEC 11-227  
F.O. No.: FOFEC 11-171A  
Report: 2010 Q4

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FLORIDA ELECTIONS COMMISSION

**FINAL ORDER**

**THIS CAUSE** came on to be heard by the Florida Elections Commission at its regularly scheduled meeting held on November 15, 2011, in Tallahassee, Florida.

**FINDINGS OF FACT**

1. The Commission is charged with enforcing Chapter 106, Florida Statutes, the campaign financing law.
2. Respondent is a candidate for the Miami-Dade School Board, District 5, in the 2012 elections.
3. The Respondent electronically filed his 2010 Q4 campaign report on January 10, 2011, the date it was due. A hard copy of the report was filed with the filing officer on January 19, 2011, and the filing officer assessed a fine of \$1,094 against Respondent.
4. Miami-Dade County has an ordinance that requires candidates for most offices to file campaign reports electronically, and by submitting a hard copy of the report to the Supervisor of Elections' office. However, candidates for School Board are not covered by the ordinance, and therefore, are not required to file a hard copy of their campaign reports.

**CONCLUSIONS OF LAW**

5. The Commission has jurisdiction over the parties to and subject matter of this case, pursuant to Section 106.04, 106.07, or 106.29, Florida Statutes.
6. The Respondent's 2010 Q4 campaign report was timely filed. Respondent was not required to file a hard copy of the report with the Supervisor of Elections. Respondent

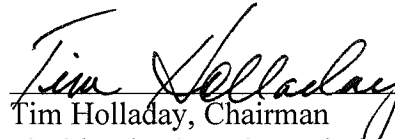
should not have been fined for filing a report late.

**ORDER**

Based on the foregoing facts and conclusions of law, the Commission finds that Respondent timely filed his report and that a fine should never have been imposed against him.

It is therefore **ORDERED** that the original fine imposed against Respondent is **DISMISSED**.

**DONE AND ORDERED** by the Florida Elections Commission on  
11.30, 2011.

  
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Tim Holladay, Chairman  
Florida Elections Commission

Copies furnished to:

Eric M. Lipman, General Counsel  
Richard E. Coates, Attorney for Respondent  
Miami-Dade County Supervisor of Elections, Filing Officer