



## **BUSINESS IMPACT ESTIMATE<sup>1</sup>**

Meeting Date: May 15, 2024

**Proposed Ordinance Title/Reference:** Ordinance codifying and ratifying the Monroe County Alcohol and Drug Abuse Trust Fund retroactive to March 1, 2009.

**The Proposed Ordinance**  **does**  **does not fall under one of the following enumerated exceptions:**<sup>2</sup>

- The proposed ordinance is required for compliance with Federal or State law or regulation.
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the county government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

**Summary of Proposed Ordinance and Statement of Public Purpose to be Served:** F.S. 893.165 authorizes Counties who meet certain requirements to establish a County Alcohol and Other Drug Abuse Trust Fund for the purpose of receiving certain assessments. The ordinance states that when any person is found guilty of any misdemeanor under the laws of Florida in which the unlawful use of drugs or alcohol is involved, there shall be assessed an additional cost in the case in the sum of \$ 15.00. The Clerk of the Court will then remit \$14.00 of that assessment to the Board of County Commissioners of Monroe County ("Board") for allocation to local substance abuse programs under F.S. 893.165. The Clerk of the Court has been collecting and remitting these assessments to the County since at least 1997. Effective March 1, 2009, the Board of County Commissioners repealed "all ordinances of a general and permanent nature enacted on or before October 17, 2007, and not included in the Code . . . ". This caused Ordinance 032-1997 to be unintentionally repealed. Since 1997, the Board and the Monroe County Clerk of Court and Comptroller have continuously operated under the understanding that Ordinance 032-1997 was never repealed. It is the intent of this ordinance to formally codify the collection of the assessments, retroactive to March 1, 2009, and to ratify all actions of the County and the Clerk of the Court since March 1, 2009. It is necessary and in the public interest that the Monroe County Alcohol and Drug Abuse Trust Fund continue in operation.

<sup>1</sup> Business impact statement must be posted on the county's website no later than the date the notice of proposed enactment is published.

<sup>2</sup> F.S. 125.66(3)(c)(2023)

**Estimate of Direct Economic Impact on Private/For Profit Businesses:**

- a. Estimate of Direct Business Compliance Costs: None.
- b. New Charges/Fees on Businesses Impacted: None.
- c. Estimate of Regulatory Costs: None.

**Good Faith Estimate of Number of Businesses Likely Impacted:** It is estimated no businesses will be impacted by this ordinance.

**Any Additional Information:**