



BUSINESS IMPACT ESTIMATE¹

Meeting Date: 5/21/25

Proposed Ordinance Title/Reference: A Public Hearing to consider adoption of an Ordinance implementing the assessment of the two-dollar (\$2.00) fee as additional court cost authorized by F.S. 938.15, retroactive to July 2, 2001.

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

- 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: In 2009, the Board enacted ordinance 001-2009 that re-codified the Monroe County, Florida Code. The recodification inadvertently did not include Ordinance No. 025-1987 and Ordinance No. 022-2004 or reference to Administrative Order 10.007/01-1 that directed the Clerk of Court and Comptroller to apply a \$2.00 assessment to court costs for criminal justice education. Current case law holds that to be operative, Section 938.15, Florida Statute, providing for a \$2.00 assessment for criminal justice education, must be enacted via local government ordinance. Enacting this ordinance retroactively would ratify past charges and continue to allow a \$2.00 assessment to court costs for criminal justice education.

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:
No new changes/fees will be imposed by this ordinance.
- c. Estimate of Regulatory Costs:
No regulatory costs will be imposed by this ordinance.

Good Faith Estimate of Number of Businesses Likely Impacted: Businesses are not likely to be impacted by this ordinance.

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

² F.S. 125.66(3)(c)(2023)

Any Additional Information: