



### **BUSINESS IMPACT ESTIMATE**

Before the enactment of a proposed ordinance, the County shall prepare or cause to be prepared a business impact estimate in accordance with Section 125.66(3), Florida Statutes.

**BOCC Meeting Dates:** permission to advertise requested on January 9, 2024 for a public hearing to be held on February 6, 2024 at 6:00 p.m.

**Proposed Ordinance Title/Reference:**

**AN ORDINANCE AMENDING CHAPTER 16, "COURTS" OF THE ST. LUCIE COUNTY CODE, BY AMENDING SECTION 16-20 TO PROVIDE FOR ASSESSING COURT COSTS PER CHARGE COUNT INSTEAD OF PER CASE AND REVISING THE REFERENCE TO THE FLORIDA STATUTE IN SUPPORT THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADOPTION; AND PROVIDING FOR CODIFICATION**

**The Proposed Ordinance  does  does not fall under one of the following enumerated exceptions:<sup>1</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.

A business impact estimate is not required for the above exceptions.

**Summary of Proposed Ordinance and Statement of Public Purpose to be Served:**

Florida Statutes §939.185(1)(a) authorizes the Board of County Commissioners to establish and enforce additional court costs by ordinance to criminal cases within St. Lucie County. The draft Ordinance, if adopted, would assess an additional court cost of \$65 per charge count instead of per case. If adopted, the Ordinance may result in the assessment of additional costs in the amount of \$192,140.00 per year. Any additional funds received will be allocated as provided in Florida Statutes §939.185(1)(a) as follows:

1. Twenty-five percent of the amount collected shall be allocated to fund innovations, as determined by the chief judge of the circuit, to supplement state funding for the

<sup>1</sup> F.S. 125.66(3)(c)(2023)

elements of the state courts system identified in s. 29.004 and county funding for local requirements under s. 29.008(2)(a)2.

2. Twenty-five percent of the amount collected shall be allocated to assist counties in providing legal aid programs required under s. 29.008(3)(a).

3. Twenty-five percent of the amount collected shall be allocated to fund personnel and legal materials for the public as part of a law library.

4. Twenty-five percent of the amount collected shall be used as determined by the board of county commissioners to support teen court programs, except as provided in s. 938.19(7), juvenile assessment centers, and other juvenile alternative programs.

**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:**

NONE

**Any Additional Information:**

N/A