



Broward County

Legislation Text

File #: 20-815, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ADOPT Resolution No. 2020-255 directing the County Administrator to publish Notice of Public Hearing to be held on Tuesday, May 19, 2020, at 10:00 a.m., in Room 422 of the Governmental Center to consider enactment of a proposed Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO DOMESTIC PARTNERSHIPS; AMENDING SECTION 16½-158 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A REGISTERED DOMESTIC PARTNER MAY MAKE HEALTH CARE DECISIONS FOR HIS OR HER PARTNER; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

Why Action is Necessary

The proposed Ordinance was prepared by the Office of the County Attorney.

What Action Accomplishes

Enables the setting of a public hearing during which the Board may consider enacting an Ordinance amending the Code to ensure consistency with Florida law while still providing registered domestic partners the opportunity to make health care decisions for their partners.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

This proposed amendment was requested as a result of recent amendments to Chapter 16½ of the Broward County Human Rights Act. Section 16½-158(c) of the Broward County Domestic Partnership Act of 1999 (the "Act") provides registered domestic partners with certain rights to make health care decisions for their partners. The proposed amendment makes no substantive changes to the Act, but clarifies the rights afforded domestic partners under the Act to ensure consistency with state law. The proposed amendment clarifies that a domestic partner of a patient or resident at a licensed facility is authorized to make health care decisions for the patient or resident to the extent

the patient or resident authorized the domestic partner to act as his or her health proxy on a declaration of domestic partnership and did not subsequently execute a health care power of attorney providing otherwise.

Source of Additional Information

Adam Katzman, Senior Assistant County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

The Fiscal Impact Statement by the Office of Management and Budget will be provided at the time of the public hearing, in compliance with Section 18.5(e)(7) of the Broward County Administrative Code.