



Broward County

Legislation Text

File #: 20-907, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

MOTION TO ENACT 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

A Resolution directing the County Administrator to publish notice of public hearing to consider enactment of the Ordinance was adopted by the Board of County Commissioners at its meeting of May 5, 2020.

What Action Accomplishes

Allows the Board to consider enacting the above-referenced Ordinance.

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

Per the Office of Management and Budget, the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.