



## Business Impact Estimate

*This form should be included in the "set for public hearing" agenda item for ordinances, and must be posted on the County's website by the time notice of the proposed ordinance is published.*

Ordinance title/reference:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE DOMESTIC PARTNERSHIP ORDINANCE, THE PREVAILING WAGE ORDINANCE, AND THE LIVING WAGE ORDINANCE; AMENDING SECTIONS 16½-157, 26-5, AND 26-102 THROUGH 26-104 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") TO COMPLY WITH SECTION 218.077, FLORIDA STATUTES; REPEALING THE LIVING WAGE ADVISORY BOARD AND SECTION 26-105 OF THE CODE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box and leave the remainder of the form blank.

- The ordinance is required for compliance with federal or state law or regulation;
- The ordinance relates to the issuance or refinancing of debt;
- The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The 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;
- The ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The ordinance is enacted to implement the following:
  - a. Development orders and development permits, as defined in Section 163.3164, and development agreements authorized under the Florida Local Government Development Agreement Act;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by application by a non-municipal private party;
  - c. Sections 190.005 and 190.046, regarding community development districts;
  - d. Section 553.73, relating to the Florida Building Code; or
  - e. Section 633.202, relating to the Florida Fire Prevention Code.

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare): The proposed Ordinance, if enacted, would amend Sections 16½-157, 26-5, and 26-100 through 26-104 of the Broward County Code of Ordinances to comply with the amendments to Section 218.077, Florida Statutes. Specifically, the proposed Ordinance would revise the County's Domestic Partnership Ordinance, Prevailing Wage Ordinance, and Living Wage Ordinance to provide that such requirements will no longer apply to contracts entered into on or after September 30, 2026, including contracts resulting from competitive solicitations where the applicable contract is not executed prior to that date.

The proposed Ordinance, if enacted, would further provide that the ordinances will continue to apply to contracts entered into prior to September 30, 2026, including authorized renewal and extension terms existing prior to that date, to the fullest extent permitted by and consistent with Section 218.077, Florida Statutes. In addition, the proposed Ordinance would repeal Section 26-105 of the Broward County Code of Ordinances relating to the Living Wage Advisory Board.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in Broward County, including, if applicable:

- a. Estimate of direct compliance costs that businesses may reasonably incur;
- b. Any new charge or fee imposed by the proposed ordinance; and
- c. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

On April 11, 2024, House Bill (HB) 433 was approved, which prohibits the County from controlling or affecting wages or employment benefits provided by County contractors for any applicable contracts executed or application solicitations awarded on or after September 30, 2026. Therefore, the County's prevailing wage, domestic partnership, and living wage ordinance requirements will no longer be a requirement for County contracts with businesses (vendors).

The Living Wage Ordinance (LWO) currently covers approximately 134 County contracts, for the following services: janitorial, landscaping, maintenance/repair, parking, security, temporary services, etc. There are approximately 100 different vendors with Living Wage (LW) contracts. The Prevailing Wage Ordinance currently only applies to Surtax-funded construction projects only. The Domestic Partnership Act previously required vendors to provide benefits to their employees, on the same basis as it provides benefits to employees' spouses.

A precise estimate of the direct economic impact of the proposed ordinance will depend on market conditions at the time new contracts are entered into by the County. Prevailing wage, domestic partnership and living wage will no longer be a requirement for vendor contracts entered into or awarded after September 30, 2026. Effective September 30, 2026, the state minimum wage in Florida will be \$15.00 for non-tipped employees.

There are no new charges or fees imposed by this ordinance and there is no additional regulatory cost to the County.

3. Estimate of the number of businesses likely to be impacted by the proposed ordinance: According to the Purchasing Division, there are approximately 100–130 vendors that will be impacted by this proposed ordinance.

4. Additional information (if any):