



## 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 LOCAL OCCUPATIONAL LICENSING AND THE BROWARD COUNTY CENTRAL EXAMINING BOARD RESTITUTION TRUST FUND ("RTF"); AMENDING SECTIONS 9-3, 9-51, AND 9-61 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), PROVIDING FOR GENERAL HOUSEKEEPING AMENDMENTS AND CONSISTENCY WITH CHAPTER 2021-214, LAWS OF FLORIDA, AS AMENDED; AMENDING SECTIONS 9-141 AND 9-142 OF THE CODE, LIMITING RTF CLAIMS CONSISTENT WITH STATE LAW; 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 Board enacted Ordinance No. 2025-23 at its June 10, 2025, meeting amending Chapter 9 of the Code to create consistency with Chapter 2021-214, Laws of Florida, as amended, that expressly preempts the licensing of occupations to the state and supersedes any local government licensing of occupations ("HB 735"). Under HB 735, the Preemption of Local Licensing was slated to take effect on July 1, 2023; however, Chapters No. 2023-271 and 2024-212 extended the effective date of HB 735 to July 1, 2025.

Ordinance No. 2025-23 specifically authorized Division I and Division II of the Central Examining Board ("CEB") to establish by resolution the standards for practical experience and application requirements for each of the trades included in the Ordinance. Division I and Division II held a joint meeting of the CEB on May 8, 2025, to discuss the Ordinance and the practical experience requirement for the CEB trades ("Joint Meeting"). After the Joint Meeting, Division I and Division II each adopted a Resolution (Exhibit 4) requiring four (4) years of experience for each CEB trade and further resolved that each Division may consider an applicant's formal education as experience ("Experience Requirements"). The Experience Requirements have been applied administratively by Division staff to new applicants. The proposed Ordinance codifies the Experience Requirements.

Division staff have had the opportunity to process a cycle of license renewals and have determined that certain housekeeping amendments to the Code are necessary in order to properly implement HB 735. The proposed Ordinance amends the definitions of certified alarm system contractor, certified electrical contractor, certified elevator technician (aka Class "E"), and electrical work to satisfy staff's concerns.

Finally, each chairperson of Division I and Division II of the CEB wrote a letter to the Division Director (Exhibit 5) expressing their concern regarding the potential depletion of the CEB's Restitution Trust Fund ("RTF") due to HB 735 creating a category of voluntary licensure that will result in a greater number of persons legally performing work without a license, thereby reducing the incidence of illegal unlicensed contracting. In light of the foregoing, the CEB anticipates an increase in the amount of work being lawfully done without a license and the reduction in licenses issued by the County will result in a reduction in the monies available in the RTF. Division I and II recommend that the Code be amended to create consistency with the Florida Homeowners' Construction Recovery Fund (i.e., the state's restitution trust fund) to allow recovery of RTF monies by solely those persons contracting with licensed contractors. The proposed Ordinance amends the Code consistent with the recommendation of Division I and Division II of the CEB.

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.

The housekeeping amendments contained in the proposed ordinance are necessary for compliance with state law and are therefore exempt from the Business Impact Estimate requirement.

It is estimated that there will be minimal` direct economic impact on private, for-profit businesses in Broward County resulting from the changes to the Restitution Trust Fund.

There are no new charges, fees, regulatory costs or revenues associated with the proposed ordinance.

3. Estimate of the number of businesses likely to be impacted by the proposed ordinance:

Under the existing Code of Ordinances, a person is not eligible to make a claim for recovery from the Restitution Trust Fund if the claimant is a corporation, partnership, limited liability company, or other legal entity and the claim is based upon a transaction with an unlicensed contractor. Therefore, it is estimated that the number of businesses likely to be impacted by the proposed ordinance will be minimal.

4. Additional information (if any):