



## **BUSINESS IMPACT ESTIMATE<sup>1</sup>**

Date: December 6, 2023

**I. Proposed Ordinance Title/Reference:** Proposed Ordinance Prohibiting Retail Businesses from Refusing to Accept Cash Payments for Goods or Services.

**II. The Proposed Ordinance** ☐ **does** **XX** **does not fall under one of the following enumerated exceptions:**<sup>2</sup>

- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ 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.

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

The proposed ordinance, if enacted, will require certain retail establishments operating in Hernando County, Florida, to accept cash payments for goods and services. Additionally, the proposed ordinance provides exceptions to cash payment requirement, and provides for the enforcement of the requirement.

The Board is considering the proposed ordinance because a growing number of retail establishments across the United States have adopted "cashless policies," declaring that they refuse to accept cash payment from their customers, and, instead, require that payment for the goods and services offered by such retailers be made only with credit cards, debit cards, or digital payment methods that result in electronic transfers of funds to the retailer. Such policies discriminate against Hernando County residents who do not have the resources or ability to participate in cashless transactions. If the Board enacts the proposed ordinance, it will do so to serve the public purposes of (1) ensuring that all of Hernando County's residents have the opportunity to shop in retail establishments, and (2) preventing those residents from suffering the indignities and stigmas that are associated with lacking the wherewithal to shop in cashless stores.

<sup>1</sup> Business impact statement must be posted on the county's website no later than the date that the legal advertisement of the hearing to consider the proposed ordinance is published.

<sup>2</sup> Fla. Stat. § 125.66(3)(c) (2023).

**IV. Estimate of Direct Economic Impact on Private/For Profit Businesses:**

- a. Estimate of Direct Business Compliance Costs: Certain brick-and-mortar businesses may incur compliance costs. For example, additional staffing costs may be incurred by businesses that are currently configured as cashless in order to facilitate the acceptance and handling of cash. Some cashless businesses may need to obtain equipment, employ and train additional personnel, or take other actions to achieve compliance.
- b. New Charges/Fees on Businesses Impacted: None.
- c. Estimate of Regulatory Costs: Minimal, if any. The proposed ordinance does not impose any recordkeeping requirements on businesses.

**V. Good Faith Estimate of Number of Businesses Likely Impacted:** The number of businesses in Hernando County that would potentially be impacted by the proposed ordinance's new requirements cannot be determined, as the number of businesses that currently operate on a cashless basis is unknown.

Notwithstanding the foregoing, Hernando County predicts that the number of businesses that will be impacted will be minimal, as the proposed ordinance exempts from its scope many types of businesses and transactions that one would anticipate may operate on a cashless basis.

**VI. Any Additional Information:** None.

**VII. No Admission or Waiver:** Please be advised that by promulgating this Business Impact Estimate, Hernando County admits neither that Fla. Stat. § 125.66(3) requires the preparation of a business impact estimate for the proposed ordinance, nor that the proposed ordinance, if enacted, can be challenged pursuant to Fla. Stat. § 125.675.