<u>Business Impact Estimate</u>

<u>Directions:</u> *Pursuant to Fla. Stat. s. 125.66(3)(c), as most recently amended by Ch. 2024-145, Laws of Florida, the County is required to prepare a Business Impact Statement for a range of ordinances. A list of ordinance exemptions is provided below. Please check all exemption boxes that apply to the proposed ordinance and provide the name/title date where indicated below.*

☐ The proposed ordinance is required for compliance with Federal or State law or regulation;

☐ The proposed ordinance relates to the issuance or refinancing of debt;

☐ 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 municipal government;

☐ The proposed ordinance is an emergency ordinance;

☐ The ordinance relates to procurement; or

☐ The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in Fla. Stat. s. 163.3164;

b. Comprehensive plan amendments and land development regulation amendments initiated by an application submitted by a private party other than the municipality;

c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;

d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Prepared by: County Attorney Jon Jouben/CAO Date: May 27, 2026

Printed Name/Title/Department

Regardless of whether any of the boxes are checked, Include this completed page in the agenda packet.

If none of the boxes above are checked, complete the attached Business Impact Statement, and include the completed Business Impact Statement as part of the agenda package. ***<u>The completed Statement must be posted on the County's web site not later than the time notice of the proposed ordinance is published.</u>***

BUSINESS IMPACT STATEMENT

This Business Impact Estimate is provided in accordance with s. 125.66(3)(c), Florida Statutes. This Business Impact Estimate may be revised following its initial posting.

ORDINANCE TITLE

Proposed Ordinance Related to Retail Transactions; Creating Section 18-1 of Hernando County Code Prohibiting Retail Businesses from Imposing Surcharge for Use of Debit or Stored Value Cards Unless Cash Is also Accepted as Payment

ORDINANCE SUMMARY (*must include a statement of the public purpose, such as serving the public health, safety, morals, or welfare*):

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The proposed ordinance, if enacted, will require that certain retail establishments operating in Hernando County, Florida, accept cash as a form of payment if they impose surcharges on debit card or stored value card transactions. It will also incorporate by reference the applicable provisions of the governing federal law: the Durbin Amendment, 15 U.S.C. § 1693o-2, to the Electronic Fund Transfer Act (EFTA), 15 U.S.C. §§ 1693-1693r. Additionally, the proposed ordinance provides for exceptions and enforcement.

The Board is considering the proposed ordinance in order to ensure that its residents will not be financially penalized if they want to purchase goods and services at retail establishments with cash. Retail establishments that impose such surcharges discriminate against Hernando County residents who do not have the resources or ability to absorb the surcharges. 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 pay such surcharges.

ESTIMATE OF THE DIRECT ECONOMIC IMPACT OF THE PROPOSED ORDINANCE ON PRIVATE, FOR-PROFIT BUSINESSES IN THE COUNTY, IF ANY:

This is unknown, but certain brick-and-mortar businesses may incur compliance costs. For example, some businesses may need to obtain equipment, employ and train additional personnel, or take other actions to achieve compliance.

ESTIMATE OF DIRECT COMPLIANCE COSTS THAT BUSINESSES MAY REASONABLY INCUR:

None.

DESCRIPTION OF NEW CHARGES/FEES IMPOSED BY THE PROPOSED ORDINANCE OR FOR WHICH BUSINESSES WILL BE FINANCIALLY RESPONSIBLE:

Minimal, if any. The proposed ordinance does not impose any record-keeping requirements on businesses.

ESTIMATE OF THE COUNTY'S REGULATORY COSTS, INCLUDING ESTIMATED REVENUES FROM ANY NEW CHARGES OR FEES TO COVER SUCH COSTS:

None.

GOOD FAITH ESTIMATE OF THE NUMBER OF BUSINESSES LIKELY TO BE IMPACTED BY THE PROPOSED ORDINANCE:

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 impose surcharges on debit card and stored value card transactions 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. .

ADDITIONAL INFORMATION THE GOVERNING BODY DEEMS USEFUL (IF ANY):

None.

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.