

Business Impact Estimate Form (see F.S. § 125.66(3)(a))

For:

AN ORDINANCE OF THE COUNTY OF PINELLAS, PROVIDING THAT THE PINELLAS COUNTY CODE BE AMENDED BY REVISING CHAPTER 86 OF SAID CODE; PROVIDING FOR REVISIONS TO SECTION 86-106 RELATED TO THE DEFINITIONS OF DRUG PARAPHERNALIA AND SPECIFICALLY EXCLUDES XYLAZINE TESTING PRODUCTS FROM THOSE DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREAS EMBRACED; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

This Ordinance is scheduled to be considered for adoption by the Pinellas County Commission on November 17, 2026 at 6:00PM at Pinellas County Communications – Palm Room, 333 Chestnut Street, Clearwater, Florida 33756

** Unless an attachment is expressly referenced, the content in this Form encompasses the entire Business Impact Estimate for the Ordinance.*

1. Summary of the Ordinance, including a statement of the public purpose to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the County: *[This Section does not need to be lengthy. The Recitals ("WHEREAS" Clauses), or the "Purpose" or "Legislative Intent" Sections of the Ordinance, may be helpful to reference.]*

The current, proposed amendment clarifies definitions under Section 86-106 to exclude products for xylazine testing in order to promote the health, safety, and welfare of Pinellas residents. The amendment removes these products from being covered by the ordinance and reduces impact on these items for local businesses. This change is consistent with recent changes to State of Florida statutory language, effective July 1, 2026. It has been determined that use of these items may be an important tool to reduce accidental overdose and possible death from fentanyl in Pinellas County. No new restrictions or impacts are included in this amendment.

Background:

The Drug Paraphernalia Ordinance was adopted on October 10, 2006 in order to promote the health, safety, and welfare of Pinellas residents based upon the recommendations of the Pinellas Drug Paraphernalia Abatement Task Force.

Sec. 86-105. - Legislative intent.

The Board of County Commissioners of Pinellas County hereby determines that the findings of the Drug Paraphernalia Abatement Task Force, created by Resolution 05-195 are incorporated herein to provide legislative support for the enactment of this division.

WHEREAS Clauses:

WHEREAS, pursuant to County Resolution 05-195, the Board of County Commissioners created a Drug Paraphernalia Abatement Task Force in 2005; and

WHEREAS, after meeting with experts in the area of drug paraphernalia and hearing from citizens, merchants, agency heads and law enforcement, the Drug Paraphernalia Abatement Task Force issued a Report tending to show there was a need to address the growing drug use concerns in Pinellas County; and

WHEREAS, Pinellas County enacted a Drug Paraphernalia ordinance in 2006 in order to combat the spread of controlled substances as well as raise awareness for parents of minors of the existence of drug paraphernalia in places of business; and

WHEREAS, from time to time, it is necessary to update and clarify provisions of the Pinellas County Code to ensure definitions and references are current in relation to evolving state statutes; and

WHEREAS, Fentanyl and xylazine have emerged as a major drugs of concern within the illicit market and have driven overdose-related deaths; and

WHEREAS, Pinellas County had seen accidental overdose related deaths at 426 deaths in 2024 and 266 deaths in 2025; and

WHEREAS, individuals can often be unaware of the presence of fentanyl and xylazine resulting in severe risk of poisoning, hospitalization, and death; and

WHEREAS, the Florida Legislature recently approved HB 477 relating to controlled substance testing and revising the term for “drug paraphernalia” to exclude certain drug testing products that are used to determine if a substance contains xylazine in order to combat recent overdose trends; and

WHEREAS, it is in the best interest of the citizens of Pinellas County to align with statute and have access to products that can be used to determine if a substance contains xylazine in order to reduce the number of overdoses that occur in Pinellas County;

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the County, including the following, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur if the Ordinance is enacted; *[Because many ordinances do not require that direct costs be incurred for compliance, this estimate will often be “zero dollars.” Generally speaking, direct costs are clearly connected to a specific objective and readily ascertainable.]*

(b) Identification of any new charge or fee on businesses subject to the Ordinance for which businesses will be financially responsible; *[Because many ordinances do not result in the levy of any new charges or fees on businesses, there will often be nothing to identify here.]* and

(c) An estimate of the County’s regulatory costs, including estimated revenues from any new charges or fees that will be imposed on businesses to cover such costs. *[Because many ordinances entail regulatory costs, an estimate will often be warranted here. For example, the County may incur costs for any number of the following factors: implementation, outreach, construction/maintenance, monitoring, enforcement, and procurement. However, the estimate must only account for direct costs (briefly described above).]*

The proposed ordinance amendment will have no new direct costs to local businesses, no new fees on local businesses, and will incur no new regulatory costs or revenues to Pinellas County.

3. A good faith estimate of the number of businesses likely to be impacted by the Proposed Ordinance: *[This Section is self-explanatory: All that is required is a good faith estimate of the number (note: not costs) of businesses likely to be impacted.]*

The proposed amendment is not expected to have new impacts on local businesses.

4. Any additional information the BCC deems useful: *[This Section is not legally required.]*

The proposed amendment to the Drug Paraphernalia Ordinance revises Section 86-106 Pinellas County Code to exclude products for fentanyl testing in alignment with recent statutory changes.

In 2005, Pinellas County adopted resolution number 05-195 to establish a Drug Paraphernalia Abatement Task Force (Task Force) to review community impacts from drug paraphernalia. In 2006, the Task Force completed their review and provided recommendations for Pinellas County. As a result of the recommendations, Pinellas County adopted Ordinance Number 06-73, establishing Sections 86-105 through 86-110 Pinellas County Code, to help mitigate possible community impact and limit access by youth.

Since the establishment of the ordinance, Pinellas has experienced the impacts of the prescription drug epidemic and the resulting opioid crisis from the illicit drug market. In 2022, Pinellas County had seen 7,556 suspected overdose transports by EMS and 597 accidental overdose-related deaths documented by the Medical Examiner's Office. In subsequent years, Pinellas County had seen accidental overdose-related deaths of 496 deaths in 2023, 426 deaths in 2024, and 266 deaths in 2025.

In recent years, fentanyl, fentanyl analogues, and xylazine have emerged as a major drugs of concern driving overdoses nationwide. Often individuals are unaware of the presence of these substances resulting in severe risk of poisoning, hospitalization, and death. In response to this growing threat, the State of Florida passed House Bill 477 revising drug paraphernalia definitions to add exclusions of products for xylazine testing effective July 1, 2026 in order to help reduce possible overdoses and save lives.

Fentanyl and fentanyl analogue testing were excluded by the State of Florida and Pinellas County in 2023.

Based on the statutory change, Pinellas County is seeking to quickly incorporate the same exclusion locally in order to help protect the health and safety of our residents. The proposed change will clarify definitions to align with recent statutory changes to exclude products for fentanyl testing to promote the health and safety of residents.

The current change reduces regulation by excluding xylazine testing products. The change creates no new regulatory impacts on businesses.