MEMORANDUM Agenda Item No. 11(A)(9)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: November 20, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Resolution urging the Florida Legislature, the Florida Office of Insurance Regulation and the Citizens Property Insurance Corporation to develop and implement a system for providing homeowners discounts on their property insurance if they install carbon monoxide detectors

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez and Co-Sponsors Commissioner Carlos A. Gimenez and Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: November 20, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
11-20-08

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE, THE FLORIDA OFFICE OF INSURANCE REGULATION, AND THE CITIZENS PROPERTY INSURANCE CORPORATION TO DEVELOP AND IMPLEMENT A SYSTEM FOR PROVIDING HOMEOWNERS DISCOUNTS ON THEIR PROPERTY INSURANCE IF THEY INSTALL CARBON MONOXIDE DETECTORS

WHEREAS, carbon monoxide is an invisible, odorless, colorless gas created when fuels, such as gasoline, wood, coal, natural gas, propane, oil, and methane, burn incompletely; and

WHEREAS, often called the silent killer, carbon monoxide poisoning leads to 200 to 300 unintentional injuries or deaths each year according to the National Safety Council; and

WHEREAS, on December 16, 2006, this Board passed Resolution No. 1448-06, which urged the Florida Legislature to require carbon monoxide detectors in residential construction; and

WHEREAS, during the 2007 State Legislative session, the Florida Legislature passed SB 1822 (Chapter No. 2007-181, Laws of Florida), which requires carbon monoxide detectors to be installed starting July 1, 2008, in all new residential construction and other new buildings that have an attached garage, fossil-fuel-burning heaters or appliances or a fireplace; and

WHEREAS, while SB 1822 ensures that carbon monoxide detectors will be included in most new residential construction, it did not address carbon monoxide detectors in existing homes; and

WHEREAS, insurance discounts could provide incentives for existing homeowners to install carbon monoxide detectors; and

WHEREAS, some insurance companies offer discounts on property insurance policies for homeowners who install carbon monoxide detectors; and

WHEREAS, developing a system whereby homeowners receive discounts on their property insurance for installing carbon monoxide detectors similar to the discounts provided for installing hurricane shutters would provide homeowners an incentive to install carbon monoxide detectors,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature, the Florida Office of Insurance Regulation, and the Citizens Property Insurance Corporation to develop and implement a system for providing homeowners discounts on their property insurance if they install carbon monoxide detectors.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Commissioner of the Florida Office of Insurance Regulation, and the Chairman and President of Citizens' Property Insurance Corporation Board of Governors.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation and/or the implementation of the regulations set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2009 State Legislative Package.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez, and the Co-Sponsors are Commissioner Carlos A. Gimenez and Commissioner Rebeca Sosa. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 20th day of November, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JMM

Jess M. McCarty