

MEMORANDUM

Agenda Item No. 11(A)(7)

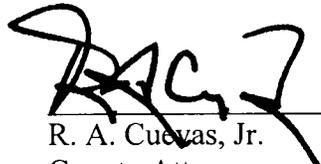
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: April 20, 2010

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

SUBJECT: Resolution opposing SB 876
and HB 447 that would increase
residential property insurance
premiums

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/up



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss **DATE:** April 20, 2010
and Members, Board of County Commissioners

FROM: R. A. Cuevas, Jr. **SUBJECT:** Agenda Item No.
County Attorney 

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required



Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(7)
4-20-10

RESOLUTION NO. _____

RESOLUTION OPPOSING SENATE BILL 876 AND HOUSE BILL 447 OR SIMILAR LEGISLATION THAT WOULD INCREASE RESIDENTIAL PROPERTY INSURANCE PREMIUMS, REDUCE HURRICANE MITIGATION CREDITS OR INCREASE CUSTOMER'S OUT-OF-POCKET EXPENSES ASSOCIATED WITH HOME DAMAGE

WHEREAS, the State of Florida has enjoyed several years without any major storms;
and

WHEREAS, despite the absence of major storms in the state in recent times, SB 876 and HB 447 would increase the cost of property insurance for homeowners; and

WHEREAS, the proposed legislation would allow property insurers to bypass state regulators and offer largely unregulated rates to homeowners, instead of the current rates which are moderated by the Office of Insurance Regulation; and

WHEREAS, among other policies, the proposed legislation would cap annual rate hikes at a statewide average of ten percent with a twenty percent total ceiling on individual policies;
and

WHEREAS, the proposed legislation would also allow for an additional ten percent annual rate increase; and

WHEREAS, insurance companies would further be permitted to increase their base rates to offset certain reductions in revenue caused by mitigation discounts to consumers who harden their homes against hurricanes; and

WHEREAS, SB 876 and HB 447 would generally serve to increase out-of-pocket expenses paid by customers, which Floridians cannot afford during these hard economic times,

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

Section 1. Opposes SB 876 and HB 447 or similar legislation that would increase residential property insurance premiums, reduce hurricane mitigation credits or increase customer's out-of-pocket expenses for home damage.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state Lobbyist to advocate against the passage of the legislation set forth in Section 1 above, and authorized and directs the Office of Intergovernmental Affairs to include this item in the 2010 and 2011 State Legislative Packages.

The Prime Sponsor of the foregoing resolution is 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:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of April, 2010. 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.

A handwritten signature in black ink, appearing to read "MWS" with a stylized flourish above it.

Martin W. Sybblis