

**MEMORANDUM**

Agenda Item No. 11(A)(12)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

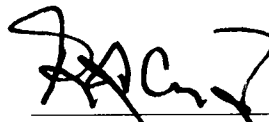
**DATE:** January 20, 2011

**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

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** January 20, 2011

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

**SUBJECT:** Agenda Item No. 11(A) (12)

**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

Agenda Item No. 11(A)(12)

Veto \_\_\_\_\_

1-20-11

Override \_\_\_\_\_

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 ensured 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; and

**WHEREAS**, bills were filed for consideration during the 2009 session, SB 822 by Senator Rudy Garcia and HB 513 by Representative Eduardo “Eddy” Gonzalez, that would have required residential property insurance rates to include incentives for installing and maintaining carbon monoxide detectors and alarms, but these bills did not pass,

**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 issue identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 state legislative packages.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. 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:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day January, 2011. 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.



Martin W. Sybblis