

MEMORANDUM

Agenda Item No. 11(A)(6)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

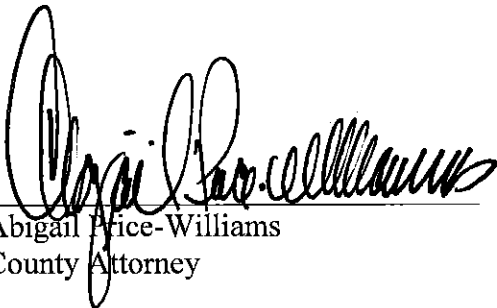
DATE: January 22, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the United
States Congress to support S.
2621, H.R. 5265, or similar
legislation designed to allow
Holocaust-era survivors and their
heirs to seek redress from
insurance policy providers

Resolution No. R-61-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Esteban L. Bovo, Jr.



Abigail Price-Williams
County Attorney

APW/uw

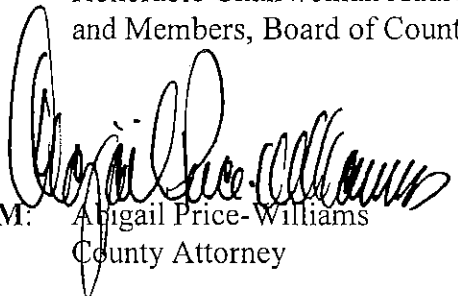


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: January 22, 2020

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County Attorney

SUBJECT: Agenda Item No. 11(A)(6)

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
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

J

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(6)

1-22-20

RESOLUTION NO. R-61-20

RESOLUTION URGING THE UNITED STATES CONGRESS
TO SUPPORT S. 2621, H.R. 5265, OR SIMILAR LEGISLATION
DESIGNED TO ALLOW HOLOCAUST-ERA SURVIVORS
AND THEIR HEIRS TO SEEK REDRESS FROM INSURANCE
POLICY PROVIDERS

WHEREAS, in October 2019, United States Senators Marco Rubio (R – Florida), Jacky Rosen (D – Nevada), and Rick Scott (R – Florida) introduced S. 2621, a bill entitled the Holocaust Insurance Accountability Act of 2019, for consideration during the 116th United States Congress; and

WHEREAS, additionally, in November 2019, United States Representatives Debbie Wasserman Schultz (D – Florida) and Lee M. Zeldin (R – New York) introduced an identical bill, H.R. 5265, for consideration during the 116th United States Congress; and

WHEREAS, substantial evidence exists suggesting that several European insurance companies collaborated with the Nazi regime during the 1930s and 1940s, selling thousands of policies totaling billions of dollars to Nazi victims and then refusing to honor them; and

WHEREAS, S. 2621 and H.R. 5265 would allow a beneficiary of a Holocaust-era life, dowry, education, annuity, property, or other insurance policy to bring a civil action in a United States District Court against an insurer for a covered policy to recover proceeds or enforce any rights under the policy; and

WHEREAS, the bills would cover any policy in effect from January 1, 1933 to December 31, 1945 that was issued to a policy holder domiciled in any areas occupied or controlled by Nazi Germany, among others; and

WHEREAS, the bills require an award to a prevailing beneficiary in the amount of proceeds due under the policy, plus prejudgment interest at 6 percent per year, and an award of treble damages against any insurer that acted in bad faith; and

WHEREAS, these bills are designed to allow Holocaust-era survivors to bring their cases before the U.S. court system to retrieve the amount their families are rightfully owed; and

WHEREAS, this Board is supportive of legislation which seeks to provide justice to the many Holocaust-era survivors and their heirs whose families were torn apart by the Nazi regime,

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

Section 1. Urges the United States Congress to support S. 2621, H.R. 5265, or similar legislation designed to allow Holocaust-era survivors and their heirs to seek redress from insurance policy providers.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to United States Senators Marco Rubio, Jacky Rosen, and Rick Scott, United States Representatives Debbie Wasserman Schultz and Lee M. Zeldin, and the remaining members of the Florida Congressional Delegation.

Section 3. Directs the County's federal lobbyists to advocate for the legislative action described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 State Legislative Package to include this item.

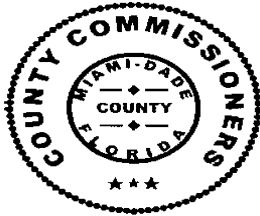
The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	
Jose "Pepe" Diaz	aye	Sally A. Heyman	absent
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK



By: Linda L. Cave
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

RC

Ryan Carlin