

Senate Bill No. 26

An act relating to Palm Beach County; providing for the relief of Robert Rosado for injuries sustained due to the negligence of the county; providing an effective date.

WHEREAS, on May 8, 1995, a Palm Beach County Fire Rescue truck ran a stop sign and struck the side of a tractor-trailer rig owned and operated by Robert Rosado, a native of Palm Beach County, and

WHEREAS, approximately \$13,000 of property damage was done to Mr. Rosado's tractor in this incident, and

WHEREAS, Palm Beach County paid for the property damage and the down time for the vehicle and eventually admitted liability for the accident and the lack of any comparative negligence on Mr. Rosado's part, and

WHEREAS, as a result of the accident, Mr. Rosado sustained neck and back pain, which resolved itself shortly thereafter, but also suffered a fracture in a lateral aspect of the right thigh bone, and, after a right iliac and bone fracture repair was performed on June 27, 1995, Mr. Rosado's treating physicians testified that he has a permanent injury to his right leg as a result of the accident and surgery, and

WHEREAS, Mr. Rosado testified at trial that he was again working full time, but that he has a fairly constant pain in the right leg which makes it difficult for him to perform specified routines of his job, and

WHEREAS, he also testified that, in addition to the relatively constant pain, he also experiences increased pain during any change in the weather, and

WHEREAS, the county refused to settle for the amount requested by Mr. Rosado, and

WHEREAS, at the conclusion of a jury trial, the jury entered a verdict, awarding \$225,297 to Mr. Rosado, and

WHEREAS, Mr. Rosado has been compensated by a collateral source in the amount of \$27,732, and

WHEREAS, the trial judge also awarded a further amount of \$4,502.78 for costs incurred, and

WHEREAS, Palm Beach County has paid \$84,375.27 toward the amount of the judgment and costs owed, NOW, THEREFORE

Be It Enacted by the Legislature of the State of Florida:

Section 1. The facts stated in the preamble to this act are found and declared to be true.

Section 2. Palm Beach County is authorized and directed to compensate Robert Rosado in the amount of \$111,560.13 for injuries and damages sustained, out of the funds of the county not otherwise appropriated.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor April 5, 1999.

Filed in Office Secretary of State April 5, 1999.