

Committee Substitute for Senate Bill No. 52

An act relating to Miami-Dade County; providing for the relief of Jessica Ann Calderon, personal representative of the Estate of Roberto Luis Calderon, Sean Ryan Calderon, minor child of Roberto Luis Calderon and Jessica Ann Calderon, and Lily Ann Calderon, minor child of Roberto Luis Calderon and Jessica Ann Calderon; providing for an appropriation to compensate them for the wrongful death of Roberto Luis Calderon as a result of the negligence of a Miami-Dade County employee; providing an effective date.

WHEREAS, on December 7, 1999, 27-year-old police officer Roberto Luis Calderon was driving a marked police vehicle south bound on the bus way adjacent to and parallel with southbound U.S. 1, and

WHEREAS, while Officer Calderon was driving his vehicle through the intersection of SW Hibiscus Street in a lawful manner, a Miami-Dade Transit Authority Bus ran the red light at the intersection and collided with Officer Calderon's vehicle on the driver's side, and

WHEREAS, Officer Calderon was killed in the accident, and

WHEREAS, after a thorough investigation by both the Miami-Dade County Police Homicide Investigation Unit and the Miami-Dade Transit Authority, both agencies concluded that the driver of the bus was negligent and caused the accident, and

WHEREAS, neither agency found that Officer Calderon was negligent in any way, and there is no other evidence of contributory fault on the part of Officer Calderon, and

WHEREAS, Roberto Luis Calderon was survived by his 29-year-old wife, Jessica Ann Calderon, and their children, 4-year-old Sean Ryan Calderon and 2-year-old Lily Ann Calderon, and

WHEREAS, the accident of December 7, 1999, formed the basis of legal action against Miami-Dade County for the wrongful death of Roberto Luis Calderon, and claims were asserted on behalf of Jessica Ann Calderon, Sean Ryan Calderon, and Lily Ann Calderon, and

WHEREAS, Miami-Dade County has paid \$200,000 pursuant to section 768.28, Florida Statutes. 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. Miami-Dade County is authorized and directed to appropriate from funds of the county not otherwise appropriated and to draw a warrant in the sum of \$2,100,000, payable to Jessica Ann Calderon, as personal

representative of the estate of Roberto Luis Calderon, which funds shall not be spent until allocated between Jessica Ann Calderon and her minor children, Sean Ryan Calderon, and Lily Ann Calderon pursuant to an order of the probate court In Re: Estate of Roberto Luis Calderon, 11th Circuit for Miami-Dade County, Case 00-1510CP(02).

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

Approved by the Governor June 5, 2002.

Filed in Office Secretary of State June 5, 2002.