

## CHAPTER 2017-227

### Committee Substitute for Committee Substitute for House Bill No. 6529

An act for the relief of Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp, by the St. Lucie County School District; providing for an appropriation to compensate the estate of Aaron Beauchamp for his wrongful death as a result of the negligence of the St. Lucie County School District; providing a limitation on the payment of compensation, fees, and costs; providing an effective date.

WHEREAS, on the afternoon of March 26, 2012, 9-year-old Aaron Beauchamp boarded a school bus driven by St. Lucie County School District employee, Albert Hazen, and

WHEREAS, shortly before Mr. Hazen reported to work that afternoon, the district assigned him an additional bus route that was unfamiliar to him, and

WHEREAS, at approximately 3:45 p.m., Mr. Hazen was driving the school bus along the unfamiliar route, headed west on Okeechobee Road with approximately 30 elementary school students on board, and

WHEREAS, Mr. Hazen's first stop that afternoon was at the St. Lucie County Fairgrounds, which he planned to reach by making a left turn from Okeechobee Road onto Midway Road, and

WHEREAS, the school bus driven by Mr. Hazen was equipped with a district-installed surveillance camera which captured the events of that afternoon, and

WHEREAS, as Mr. Hazen approached the intersection of Okeechobee Road and Midway Road and activated his left turn signal, the weather was clear and there were no visual obstructions in the roadway, and

WHEREAS, Mr. Hazen turned onto Midway Road without stopping at the intersection, travelling directly into the path of an oncoming, fully-loaded tractor trailer, and

WHEREAS, Mr. Hazen operated the school bus in a negligent manner and the district, through the negligent action of its employee, Mr. Hazen, breached a duty of care to Aaron Beauchamp, and

WHEREAS, the tractor trailer violently slammed into the rear passenger side of the school bus, propelling it into the air and spinning it around, and

WHEREAS, the impact of the crash inflicted numerous catastrophic injuries upon the students, and first responders to the accident had to follow procedures for a mass casualty event, and

WHEREAS, Aaron Beauchamp was sitting in the back of the school bus on the driver's side and, despite the fact that he was wearing his seatbelt, was ejected from his seat into the interior of the bus, and

WHEREAS, Aaron Beauchamp suffered massive injuries to his spine and brain and died at the scene of the crash, and

WHEREAS, Aaron Beauchamp is survived by his mother, Lillian Beauchamp, a school principal and long-time district employee, his father, Simon Beauchamp, and an older brother, Benjamin Beauchamp, and

WHEREAS, Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp, filed a wrongful death lawsuit against the district in the case of *Lillian Beauchamp, as Personal Representative of the Estate of Aaron Beauchamp, a deceased Child v. The St. Lucie County School District*, which was assigned case number 2013CA000569, and

WHEREAS, on September 8, 2015, a jury returned a unanimous verdict awarding \$10 million to Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp, finding that the district was 87 percent at fault for the accident, and

WHEREAS, on November 2, 2015, the judge in the case entered a final judgment against the district for \$8.7 million, which the district did not appeal, and

WHEREAS, in accordance with s. 768.28, Florida Statutes, the district paid the statutory limit of \$300,000 to other children who were injured in the same incident that resulted in the wrongful death of Aaron Beauchamp, and

WHEREAS, the district and Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp, have reached a settlement agreement in the amount \$1.5 million, 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. The St. Lucie County School District is authorized and directed to appropriate from its funds not otherwise encumbered and, on or before November 1, 2017, to draw a warrant in the amount of \$1.5 million payable to Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp, as compensation for damages sustained in connection with his wrongful death.

Section 3. The amount awarded under this act is intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in the wrongful death of Aaron Beauchamp. Of the amount awarded under this act, the total amount paid for attorney fees may not exceed \$300,000, the total amount paid for

lobbying fees may not exceed \$75,000, and the total amount paid for costs and other similar expenses relating to this claim may not exceed \$4,246.02.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 2, 2017.

Filed in Office Secretary of State June 2, 2017.