

CHAPTER 2018-193

Committee Substitute for House Bill No. 6545

An act for the relief of Ramiro Companioni, Jr., by the City of Tampa; providing for an appropriation to compensate Mr. Companioni for injuries sustained as a result of the negligence of the City of Tampa; providing a limitation on the payment of fees and costs; extinguishing certain lien interests; providing an effective date.

WHEREAS, on November 22, 1996, Ramiro Companioni, Jr., was seriously injured while operating his motorcycle on East Hillsborough Avenue in Tampa, Florida, as a result of a collision with a City of Tampa Water Department truck, and

WHEREAS, a lawsuit was filed and in 2004 a final judgment was entered in favor of Mr. Companioni in the amount of \$17,928,800 against the City of Tampa, based on a jury verdict in the amount of \$19,932,000, and

WHEREAS, after appeals and all legal remedies were exhausted, claim bills have been filed annually since the 2014 Legislative session seeking the full amount of the final judgment, plus interest, for Mr. Companioni, and

WHEREAS, the parties have agreed to a compromised settlement in the amount of \$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 City of Tampa is authorized and directed to appropriate from funds not otherwise encumbered and to draw a warrant in the sum of \$5 million, to fund a settlement preservation trust created for the exclusive use and benefit of Ramiro Companioni, Jr., as compensation for injuries and damages sustained as described herein.

Section 3. The amount paid by the City of Tampa pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are 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 injuries and damages to Mr. Companioni. Of the amount awarded under this act, the total amount paid for attorney fees may not exceed \$850,000, the total amount paid for lobbying fees may not exceed \$400,000, and the total amount paid for costs and other similar expenses relating to this claim may not exceed \$7,204.25.

Section 4. Excluding the federal portions of any liens, Medicaid or otherwise, which the claimant must pay, it is the intent of the Legislature

that the lien interests relating to the treatment and care of Ramiro Companioni, Jr., are hereby waived or extinguished.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor March 23, 2018.

Filed in Office Secretary of State March 23, 2018.