

## CHAPTER 2025-218

### Senate Bill No. 14

An act for the relief of the Estate of Peniel Janvier by the City of Miami Beach; providing for an appropriation to compensate the Estate of Peniel Janvier for damages sustained as a result of the negligence of the City of Miami Beach; providing a limitation on the payment of compensation and attorney fees; providing an effective date.

WHEREAS, on August 16, 2022, Peniel Janvier drowned after being pushed into the community pool at the Scott Rakow Youth Center in the City of Miami Beach, and

WHEREAS, the lifeguards and personnel of the City of Miami Beach failed to observe and respond to Mr. Janvier being pushed into the community pool, and

WHEREAS, the Estate of Peniel Janvier has alleged, through a lawsuit filed on March 22, 2023, that the negligence of the City of Miami Beach, through its lifeguards and personnel, was the proximate cause of the death of Mr. Janvier, and

WHEREAS, Nicole Mathurin, Mr. Janvier's mother, and Lucmanne Janvier, Mr. Janvier's father, have suffered significant financial damages due to the loss of Peniel Janvier's net income accumulation in the past and future, and extreme mental anguish and suffering as a result of the loss of their son, and

WHEREAS, the Estate of Peniel Janvier and the City of Miami Beach reached a settlement in the amount of \$2 million, and

WHEREAS, pursuant to the settlement agreement between the parties, the plaintiff's claim will be partially satisfied by the City of Miami Beach paying the amount of \$300,000 to the Estate of Peniel Janvier, and

WHEREAS, pursuant to the settlement, the claim shall be considered fully satisfied by the City of Miami Beach paying an additional \$1.7 million to the Estate of Peniel Janvier, as authorized by the Florida Legislature through a claim bill, 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 Miami Beach is authorized and directed to appropriate from funds not otherwise encumbered and to draw a warrant in the sum of \$1.7 million payable to the Estate of Peniel Janvier as compensation for injuries and damages sustained.

Section 3. The amount paid by the City of Miami Beach, 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 the death of Peniel Janvier and damages to the Estate of Peniel Janvier. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the total amount awarded under this act.

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

Approved by the Governor July 1, 2025.

Filed in Office Secretary of State July 1, 2025.