

House Bill No. 377

An act relating to the Indian River County School Board; providing for the relief of Taylor Rosemond, a minor, by and through her parents and natural guardians, Alvin and Shirley Rosemond; providing for an appropriation to compensate her for injuries sustained due to the negligence of the Indian River County School Board; providing for the use of such funds; providing an effective date.

WHEREAS, on January 25, 1999, 7-year-old Taylor Rosemond was a passenger on a school bus owned by the Indian River County School Board and operated by its employee, Deborah Colletti, and

WHEREAS, Deborah Colletti failed to stop at a stop sign located at the intersection of 45th Street and 66th Avenue in Indian River County, which failure caused the bus to collide with a tractor-trailer traveling on 66th Avenue, resulting in injuries to Taylor Rosemond and 15 other children and the deaths of two other persons, and

WHEREAS, Deborah Colletti was cited with failure to obey a traffic-control device and failure to yield the right-of-way, and

WHEREAS, Taylor Rosemond was taken by ambulance to a local hospital and thence airlifted to Arnold Palmer Children's Hospital in Orlando, and

WHEREAS, Taylor Rosemond was diagnosed with a lacerated kidney, bruised liver, and right renal laceration, and

WHEREAS, Taylor Rosemond's injuries resulting from the negligence of the school bus operator have caused her bodily injury and permanent pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, hospitalization expenses, nursing care expenses, medical expenses, loss of earnings and capacity to earn, and aggravation of previously existing conditions, and

WHEREAS, Taylor Rosemond's injuries have caused her parents lost income, permanent loss of support and services, and expenses for medical care, psychiatric care, hospitalization care, and nursing care for their daughter, and

WHEREAS, suit was filed in Indian River County following the collision, and prior to trial the case was settled in the amount of \$60,000, and

WHEREAS, the Indian River County School Board has agreed not to oppose this 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 Indian River County School Board is authorized and directed to appropriate from funds of the school board not otherwise appropriated and to draw a warrant in the sum of \$60,000, payable after July 1, 2003, to Alvin and Shirley Rosemond, parents and natural guardians of Taylor Rosemond, a minor, as compensation for injuries and damages sustained by Taylor Rosemond due to the negligence of Indian River County. Such funds are to be deposited into a guardianship account for the exclusive use and benefit of Taylor Rosemond. The amount payable pursuant to this section is inclusive of costs and attorney's fees as limited by s. 768.28(8), Florida Statutes.

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

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.