

By the Committee on Claims and Representatives Morroni and Rayson

1 A bill to be entitled
2 An act relating to Palm Beach County; providing
3 for the relief of Elizabeth Menendez; providing
4 for an appropriation to compensate Elizabeth
5 Menendez for injuries and damages sustained as
6 a result of the negligence of the Palm Beach
7 County Sheriff's Department; providing an
8 effective date.
9
10 WHEREAS, in the early morning hours of July 4, 1990,
11 Elizabeth Menendez, then 22 years of age, was operating a
12 motor vehicle on the highways of Palm Beach County, and
13 WHEREAS, Elizabeth Menendez was attempting to make a
14 left turn at Southern Boulevard and I-95 with the intention of
15 going onto the southbound ramp and proceeding to her residence
16 in Palm Springs, and
17 WHEREAS, at that time, a vehicle being pursued by the
18 Palm Beach County Sheriff's Department at speeds of
19 approximately 100 miles per hour struck the vehicle that
20 Elizabeth Menendez was operating, and
21 WHEREAS, in the resulting head-on collision, Elizabeth
22 Menendez sustained serious and permanent injuries, and
23 WHEREAS, the injuries sustained by Elizabeth Menendez
24 as a result of the accident that occurred on July 4, 1990,
25 formed the basis of legal action against the Palm Beach County
26 Sheriff's Department (Case No. CL 93-2544 AO), and
27 WHEREAS, on October 21, 1998, in the Circuit Court of
28 the Fifteenth Judicial Circuit in and for Palm Beach County,
29 Carlos Menendez and Teresita Menendez, as guardians of
30 Elizabeth Menendez, entered into a settlement agreement with
31 the Sheriff of Palm Beach County, and

1 WHEREAS, the Sheriff of Palm Beach County has paid
2 \$100,000 to Carlos and Teresita Menendez, as legal guardians
3 of Elizabeth Menendez, for the use and benefit of Elizabeth
4 Menendez, pursuant to the terms of the settlement agreement,
5 and

6 WHEREAS, the Sheriff of Palm Beach County actively
7 supports the passage by the Florida Legislature of a relief
8 act in the amount of \$2,400,000 on behalf of Carlos Menendez
9 and Teresita Menendez, as legal guardians of Elizabeth
10 Menendez, for the use and benefit of Elizabeth Menendez, NOW,
11 THEREFORE,

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. The facts stated in the preamble to this
16 act are found and declared to be true.

17 Section 2. The Sheriff of Palm Beach County is
18 authorized and directed to appropriate from funds of the
19 sheriff's department not otherwise appropriated and to draw a
20 warrant in the sum of \$2,400,000 payable to Carlos Menendez
21 and Teresita Menendez, as legal guardians of Elizabeth
22 Menendez, for the use and benefit of Elizabeth Menendez, to
23 compensate Elizabeth Menendez for injuries and damages
24 sustained. Such funds shall be disbursed in accordance with
25 the settlement agreement signed in October 1998.

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