

By Senator Dawson

30-5-00

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 the sum of \$2,400,000  
19 from funds of the sheriff's department not otherwise  
20 appropriated and to draw a warrant in that amount payable to  
21 Carlos Menendez and Teresita Menendez, as legal guardians of  
22 Elizabeth Menendez, for the use and benefit of Elizabeth  
23 Menendez, to compensate Elizabeth Menendez for injuries and  
24 damages sustained.

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