

By Representative Smith

1                                   A bill to be entitled  
2           An act relating to the Hillsborough County  
3           School Board; providing for the relief of Alana  
4           Kelly and Richard F. Taylor, Sr.; providing for  
5           an appropriation to compensate them for the  
6           death of their son, Richard F. Taylor, Jr.,  
7           caused by the negligence of a Hillsborough  
8           County School Board employee; providing an  
9           effective date.

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11           WHEREAS, on April 24, 1998, 21-year-old Richard F.  
12           Taylor, Jr., was driving his motorcycle in a lawful manner  
13           heading south on U.S. 301 in Hillsborough County, and

14           WHEREAS, at the same time, a Hillsborough County school  
15           bus operated by a driver employed by the Hillsborough County  
16           School Board pulled out from a stop sign and attempted to  
17           cross the southbound lanes of U.S. 301 directly in the path of  
18           Richard Taylor's motorcycle, and

19           WHEREAS, although Mr. Taylor attempted to stop his  
20           motorcycle from colliding with the bus, he was unable to do  
21           so, and

22           WHEREAS, as a result of the collision of the school bus  
23           with his motorcycle, Mr. Taylor suffered trauma to the head  
24           and was pronounced dead at the scene, and

25           WHEREAS, an eyewitness to the accident observed the  
26           school bus pull out in front of the motorcycle in violation of  
27           the motorcycle's right-of-way, observed the motorcycle attempt  
28           to stop, and observed the collision, and

29           WHEREAS, Richard F. Taylor, Jr., was survived by his  
30           mother, Alana Kelly, and his father, Richard F. Taylor, Sr.,  
31           who have lost their only son and their only child, and

1           WHEREAS, a lawsuit was filed against the Hillsborough  
2 County School Board for the wrongful death of Richard F.  
3 Taylor, Jr., and

4           WHEREAS, at the conclusion of the trial, the jury found  
5 the Hillsborough County School Board 75 percent at fault for  
6 the death of Richard F. Taylor, Jr. and entered a verdict for  
7 \$402,444, and

8           WHEREAS, after proper reductions for comparative fault,  
9 the judge entered a final judgment in favor of the claimants  
10 for a total of \$301,833, and

11           WHEREAS, the Hillsborough County School Board did not  
12 appeal the verdict and judgment, and

13           WHEREAS, the Hillsborough County School Board has paid  
14 \$200,000 to the claimants pursuant to the limits of liability  
15 set forth in section 768.28, Florida Statutes, leaving an  
16 unpaid judgment amount of \$101,833, NOW, THEREFORE,

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18 Be It Enacted by the Legislature of the State of Florida:

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20           Section 1. The facts stated in the preamble to this  
21 act are found and declared to be true.

22           Section 2. The Hillsborough County School Board is  
23 authorized and directed to appropriate from funds of the  
24 school board not otherwise appropriated and to draw a warrant  
25 in the sum of \$50,000 payable to Alana Kelly, as compensation  
26 for the death of her son, Richard F. Taylor, Jr., due to the  
27 negligence of the Hillsborough County School Board.

28           Section 3. The Hillsborough County School Board is  
29 authorized and directed to appropriate from funds of the  
30 school board not otherwise appropriated and to draw a warrant  
31 in the sum of \$51,833 payable to Richard F. Taylor, Sr., as

1 compensation for the death of his son, Richard F. Taylor, Jr.,  
2 due to the negligence of the Hillsborough County School Board.  
3       Section 4. This act shall take effect upon becoming a  
4 law.  
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