

By Senator Dyer

14-63-01

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 matter  
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 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 School Board 75 percent at fault for the death of Richard  
6 Taylor, Jr. and entered a verdict for \$402,444, and

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

10           WHEREAS, the School Board did not appeal the verdict  
11 and judgment, and

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

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. The facts stated in the preamble to this  
20 act are found and declared to be true.

21           Section 2. The Hillsborough County School Board is  
22 authorized and directed to appropriate from funds of the  
23 school board not otherwise appropriated and to draw a warrant  
24 in the sum of \$101,833 payable to Alana Kelly, as personal  
25 representative of the Estate of Richard F. Taylor, Jr., which  
26 funds are for the benefit of Alana Kelly and Richard F.  
27 Taylor, Sr., as compensation for the death of their son,  
28 Richard F. Taylor, Jr., due to the negligence of an employee  
29 of the Hillsborough County School Board.

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