

By Representative Allen

1 A bill to be entitled
2 An act relating to Indian River County;
3 providing for the relief of Sharon Dixon and
4 Victor Dixon, Sr.; authorizing and directing
5 the School Board of Indian River County to
6 compensate them for the wrongful death of their
7 minor child, Victor Dixon, Jr., due to the
8 negligence of an employee of the school board;
9 providing an effective date.

10
11 WHEREAS, on January 25, 1999, Victor Dixon, Jr., a
12 minor, was a passenger on a school bus owned by the School
13 Board of Indian River County, and

14 WHEREAS, the school bus was being operated by an
15 individual who was acting in the course and scope of her
16 employment as a bus driver for the School Board of Indian
17 River County, and

18 WHEREAS, at the intersection of 66th Avenue and 45th
19 Street in Vero Beach, Indian River County, Florida, the school
20 bus driver ran a stop sign and collided with a tractor-trailer
21 truck, causing the bus to overturn, and

22 WHEREAS, as a result of the collision, Victor Dixon,
23 Jr., sustained injuries that resulted in his death, and

24 WHEREAS, a court found the School Board of Indian River
25 County vicariously liable for the negligence on the part of
26 its employee, and

27 WHEREAS, during the trial relating to this matter, the
28 defendant, the School Board of Indian River County, admitted
29 that the negligence of its employee in running the stop sign
30 was the sole cause of the accident that caused the death of
31 Victor Dixon, Jr., and

1 WHEREAS, on July 20, 2000, a jury verdict was returned,
2 and, on September 14, 2000, a final judgment was entered, in
3 the amount of \$1,500,000 on behalf of Sharon Dixon and
4 \$1,000,000 on behalf of Victor Dixon, Sr., for the wrongful
5 death of their 8-year-old son and only child, Victor Dixon,
6 Jr., and

7 WHEREAS, on November 22, 2000, a writ of execution in
8 the amount of \$275,606.10 was levied against the Indian River
9 County School Board, and that amount has been paid by the
10 school board, and

11 WHEREAS, that payment represented the amount owed under
12 s. 768.28, Florida Statutes, relating to waiver of sovereign
13 immunity, and

14 WHEREAS, on April 19, 2001, a settlement agreement was
15 reached between the Indian River County School Board and
16 Sharon Dixon and Victor Dixon, Sr., at an open and public
17 school board meeting in the amount of \$1,500,000, less
18 \$275,606.10 which has already been paid, and

19 WHEREAS, at this time, claimants are seeking a claim
20 bill in the amount of \$1,224,393.90 to be paid over a 3-year
21 period with no interest due, with 40 percent of the claim to
22 be paid in 2002, 30 percent to be paid in 2003, and 30 percent
23 to be paid in 2004, which represents the balance owed on the
24 amount awarded in the final judgment, NOW, THEREFORE,

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. The facts stated in the preamble to this
29 act are found and declared to be true.

30 Section 2. The School Board of Indian River County is
31 authorized and directed to compensate Sharon Dixon and Victor

1 Dixon, Sr., for the wrongful death of their minor child,
2 Victor Dixon, Jr., in the amount of \$1,224,393.90, which
3 amount includes statutory attorney's fees and costs and which
4 shall be paid in three installments, with \$489,757.56 to be
5 paid in 2002, \$367,318.17 to be paid in 2003, and \$367,318.17
6 to be paid in 2004, out of funds of the School Board of Indian
7 River County not otherwise appropriated.

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

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31