

By the Committee on Finance and Taxation; and Senator Villalobos

314-1821-02

1 A bill to be entitled

2 An act relating to Miami-Dade County; providing

3 for the relief of Jessica Ann Calderon,

4 personal representative of the Estate of

5 Roberto Luis Calderon, Sean Ryan Calderon,

6 minor child of Roberto Luis Calderon and

7 Jessica Ann Calderon, and Lily Ann Calderon,

8 minor child of Roberto Luis Calderon and

9 Jessica Ann Calderon; providing for an

10 appropriation to compensate them for the

11 wrongful death of Roberto Luis Calderon as a

12 result of the negligence of a Miami-Dade County

13 employee; providing an effective date.

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15 WHEREAS, on December 7, 1999, 27-year-old police

16 officer Roberto Luis Calderon was driving a marked police

17 vehicle south bound on the bus way adjacent to and parallel

18 with southbound U.S. 1, and

19 WHEREAS, while Officer Calderon was driving his vehicle

20 through the intersection of SW Hibiscus Street in a lawful

21 manner, a Miami-Dade Transit Authority Bus ran the red light

22 at the intersection and collided with Officer Calderon's

23 vehicle on the driver's side, and

24 WHEREAS, Officer Calderon was killed in the accident,

25 and

26 WHEREAS, after a thorough investigation by both the

27 Miami-Dade County Police Homicide Investigation Unit and the

28 Miami-Dade Transit Authority, both agencies concluded that the

29 driver of the bus was negligent and caused the accident, and

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1 WHEREAS, neither agency found that Officer Calderon was
2 negligent in any way, and there is no other evidence of
3 contributory fault on the part of Officer Calderon, and

4 WHEREAS, Roberto Luis Calderon was survived by his
5 29-year-old wife, Jessica Ann Calderon, and their children,
6 4-year-old Sean Ryan Calderon and 2-year-old Lily Ann
7 Calderon, and

8 WHEREAS, the accident of December 7, 1999, formed the
9 basis of legal action against Miami-Dade County for the
10 wrongful death of Roberto Luis Calderon, and claims were
11 asserted on behalf of Jessica Ann Calderon, Sean Ryan
12 Calderon, and Lily Ann Calderon, and

13 WHEREAS, Miami-Dade County has paid \$200,000 pursuant
14 to section 768.28, Florida Statutes. NOW, THEREFORE,

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

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

20 Section 2. Miami-Dade County is authorized and
21 directed to appropriate from funds of the county not otherwise
22 appropriated and to draw a warrant in the sum of \$2,100,000,
23 payable to Jessica Ann Calderon, as personal representative of
24 the estate of Roberto Luis Calderon, which funds shall not be
25 spent until allocated between Jessica Ann Calderon and her
26 minor children, Sean Ryan Calderon, and Lily Ann Calderon
27 pursuant to an order of the probate court In Re: Estate of
28 Roberto Luis Calderon, 11th Circuit for Miami-Dade County,
29 Case 00-1510CP(02).

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
SB 52

Clarifies that attorney's fees and costs will not be deducted out of the \$2,100,000 claim before Jessica Ann Calderon is paid.

The bill is amended to clarify the events of the accident and subsequent claim in the Whereas clause.