

By the Committee on Finance and Taxation; and Senator Klein

314-1818-02

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A bill to be entitled

An act relating to the School Board of Palm Beach County; providing for the relief of Mary Nell Dent Harley, as legal guardian of Ariel Alexis Dent, for injuries sustained by Ariel Alexis Dent as the result of negligence on the part of an employee of the board; providing an effective date.

WHEREAS, on March 2, 1999, Ariel Alexis Dent was a 6-year-old student in the Palm Beach County school system, and

WHEREAS, on that date, as she was properly exiting her school bus, she was struck by the bus, operated by an employee of the School Board of Palm Beach County, and

WHEREAS, as a result of being struck three separate times, by the bumper, the front wheels, and the rear wheels of the bus, Ariel sustained severe and permanent injuries, and

WHEREAS, Ariel has undergone multiple surgeries, rehabilitation, and physical therapy, and

WHEREAS, Ariel has disfiguring scars, is subject to chronic pain in her right leg, and walks with a limp, and

WHEREAS, expert medical testimony has established that Ariel has sustained a 22-percent permanent partial impairment of the whole person and a 30-percent permanent functional impairment, and

WHEREAS, the School Board of Palm Beach County has admitted liability for the accident that caused Ariel's injuries, and

WHEREAS, before trial, the parties reached a settlement under which the School Board of Palm Beach County has paid

1 \$200,000 and agreed not to oppose a claim bill in the amount
2 of \$600,000, NOW, THEREFORE,

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

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

8 Section 2. The School Board of Palm Beach County is
9 authorized and directed to appropriate from funds of the board
10 not otherwise appropriated and to draw a warrant in the sum of
11 \$600,000, payable to Mary Nell Dent Harley as legal guardian
12 of Ariel Alexis Dent. After payment of statutory attorney's
13 fees and costs and authorized expenses, the proceeds recovered
14 under this act shall be used to purchase an annuity for the
15 benefit of Ariel Alexis Dent which will yield her funding
16 beginning at age 18 and consisting of \$25,000 per year
17 guaranteed for 5 years; lifetime monthly income of
18 approximately \$2,000 per month guaranteed for 360 months
19 beginning at age 22; and guaranteed payments at ages 25 and 30
20 in the approximate amounts of \$50,000 at age 25 and \$93,000 at
21 age 30.

22 Section 3. This act shall take effect upon becoming a
23 law.

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25 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
26 COMMITTEE SUBSTITUTE FOR
27 SB 66

28

29 Specifies that the claim shall be used to purchase an annuity
30 for the benefit of Ariel Alexis Dent which will yield her
31 funding beginning at age 18 and consisting of \$25,000 per year
guaranteed for 5 years; lifetime monthly income of
approximately \$2,000 per month guaranteed for 360 months
beginning at age 22; and guaranteed payments at ages 25 and 30
in the approximate amounts of \$50,000 at age 25 and \$93,000 at
age 30.