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A bill to be entitled  
An act relating to Indian River County; providing for the relief of Clay Haywood, a minor, and Tatiana Haywood, a minor, by and through their mother and natural guardian, Michelle O'Halloran; providing for an appropriation to compensate them for injuries and damages caused by the negligence of the Indian River County School Board; providing for the use of such funds; providing an effective date.

WHEREAS, on January 25, 1999, Clay Haywood and Tatiana Haywood were passengers in a school bus owned by the Indian River County School Board and operated by an employee of the school board when the school bus failed to stop for a stop sign at the intersection of 45th Street and 66th Avenue in Vero Beach and collided with a tractor-trailer truck, and

WHEREAS, as a result of the collision, 11-year-old Clay Haywood sustained numerous severe traumatic injuries requiring multiple surgeries and was unable to attend school or engage in any normal daily activities for many months, and

WHEREAS, as a result of the injuries he suffered in the collision, Clay Haywood has incurred medical expenses totaling \$88,867.47 and will incur medical expenses in the future, including \$3,300 in dental expenses, and

WHEREAS, as a result of the collision, 9-year-old Tatiana Haywood sustained multiple facial lacerations, multiple extremity lacerations, and multiple contusions about the body



29 | which will require revision surgery when she has completed the  
30 | majority of her growth, and

31 |       WHEREAS, as a result of the injuries she suffered in the  
32 | collision, Tatiana Haywood has been left with permanent  
33 | scarring, has incurred medical expenses totaling \$3,225.75, and  
34 | will incur medical expenses in the future, and

35 |       WHEREAS, the Indian River County School Board admitted  
36 | liability for the collision and has agreed to a court-ordered  
37 | mediation settlement of all claims of Clay Haywood and Tatiana  
38 | Haywood in the amount of \$225,000, payable by the school board  
39 | in three annual installments of \$75,000, NOW, THEREFORE,

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41 | Be It Enacted by the Legislature of the State of Florida:

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43 |       Section 1. The facts stated in the preamble to this act  
44 | are found and declared to be true.

45 |       Section 2. The Indian River County School Board is  
46 | authorized and directed to appropriate from funds of the school  
47 | board not otherwise appropriated and to draw three annual  
48 | warrants in the amount of \$75,000 each, for a total settlement  
49 | of \$225,000, payable after July 1, 2003, to Michelle O'Halloran,  
50 | as plenary guardian of Clay Haywood, a minor, and Tatiana  
51 | Haywood, a minor, as compensation for injuries and damages  
52 | sustained due to the negligence of Indian River County. The  
53 | three annual installments shall be paid as follows:

54 |       (1) Twenty-five thousand dollars of the first installment  
55 | for the benefit of Tatiana Haywood, minor child of Michelle  
56 | O'Halloran, plenary guardian of Tatiana Haywood, to be placed in



57 a restricted guardianship account for the exclusive use and  
58 benefit of Tatiana Haywood; and

59 (2) The remaining \$50,000 of the first installment and the  
60 entirety of the last two installments for the benefit of Clay  
61 Haywood, minor child of Michelle O'Halloran, plenary guardian of  
62 Clay Haywood, to be placed in a restricted guardianship account  
63 for the exclusive use and benefit of Clay Haywood.

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65 The amount appropriated pursuant to this section is inclusive of  
66 costs and attorney's fees as limited by s. 768.28(8), Florida  
67 Statutes.

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