



HB 1691

2003

1 A bill to be entitled

2 An act relating to the Sarasota County School Board;
3 providing for the relief of Denise Yahraus individually
4 and as the personal representative of the estate of
5 Michael Yahraus, deceased; authorizing and directing the
6 school board of Sarasota County, Florida, to compensate
7 the estate for the death of Michael Yahraus, due to the
8 negligence of the Sarasota County School Board; providing
9 an effective date.

10
11 WHEREAS, on September 11, 2000, Michael Yahraus was fatally
12 injured in performance of his official duties while attending
13 the Criminal Justice Academy at the Sarasota County Technical
14 Institute, and

15 WHEREAS, the Sarasota County Technical Institute is
16 operated by the Sarasota County School Board, and the Criminal
17 Justice Academy, which Michael Yahraus was attending when he was
18 fatally injured, is a program operated by the Sarasota County
19 School Board, and

20 WHEREAS, during the course of the training class,
21 instructors of the Sarasota County School Board Criminal Justice
22 Academy negligently used a training handgun by using a blank
23 rather than a primer charge, which caused the handgun to
24 improperly fire a projectile from the plugged gun, wounding and
25 ultimately resulting in the death of Michael Yahraus, and

26 WHEREAS, the actions taken by the instructors were
27 negligent and caused the death of Michael Yahraus, and

28 WHEREAS, Denise Yahraus, individually and on behalf of the
29 decedent's minor children and as personal representative of her



HB 1691

2003

30 husband's estate filed suit in Sarasota County against the
31 Sarasota County School Board, and

32 WHEREAS, the parties agreed to a settlement in the amount
33 of \$1,250,000 to be paid to the estate and its beneficiaries,
34 and

35 WHEREAS, the Circuit Court in Sarasota County entered a
36 Final Judgment on January 14, 2002, in the amount of \$1,250,000,
37 specifically incorporating the settlement agreement therein,
38 providing that the estate recover that amount from the Sarasota
39 County School Board, and

40 WHEREAS, Denise Yahraus has received \$200,000 in partial
41 satisfaction of the agreed-upon settlement amount, and

42 WHEREAS, the Sarasota County School Board agreed not to
43 oppose the estate's efforts to secure a claim bill for payment
44 of the remaining portion of the stipulated final judgment, and

45 WHEREAS, the remaining unpaid amount of the judgment is
46 \$1,050,000, NOW, THEREFORE,

47

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

49

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

52 Section 2. The Sarasota County School Board is authorized
53 and directed to compensate Denise Yahraus, as personal
54 representative of the Estate of Michael Yahraus, in the total
55 amount of \$1,050,000, out of funds of the District School Board
56 of Sarasota County not otherwise appropriated.

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