



CHAMBER ACTION

The Committee on Judiciary recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Indian River County School Board; providing for the relief of Taylor Rosemond, a minor, by and through her parents and natural guardians, Alvin and Shirley Rosemond; providing for an appropriation to compensate her for injuries sustained due to 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, 7-year-old Taylor Rosemond was a passenger on a school bus owned by the Indian River County School Board and operated by its employee, Deborah Colletti, and

WHEREAS, Deborah Colletti failed to stop at a stop sign located at the intersection of 45th Street and 66th Avenue in Indian River County, which failure caused the bus to collide with a tractor-trailer traveling on 66th Avenue, resulting in



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28 injuries to Taylor Rosemond and 15 other children and the deaths
29 of two other persons, and

30 WHEREAS, Deborah Colletti was cited with failure to obey a
31 traffic-control device and failure to yield the right-of-way,
32 and

33 WHEREAS, Taylor Rosemond was taken by ambulance to a local
34 hospital and thence airlifted to Arnold Palmer Children's
35 Hospital in Orlando, and

36 WHEREAS, Taylor Rosemond was diagnosed with a lacerated
37 kidney, bruised liver, and right renal laceration, and

38 WHEREAS, Taylor Rosemond's injuries resulting from the
39 negligence of the school bus operator have caused her bodily
40 injury and permanent pain and suffering, disability,
41 disfigurement, mental anguish, loss of capacity for the
42 enjoyment of life, hospitalization expenses, nursing care
43 expenses, medical expenses, loss of earnings and capacity to
44 earn, and aggravation of previously existing conditions, and

45 WHEREAS, Taylor Rosemond's injuries have caused her parents
46 lost income, permanent loss of support and services, and
47 expenses for medical care, psychiatric care, hospitalization
48 care, and nursing care for their daughter, and

49 WHEREAS, suit was filed in Indian River County following
50 the collision, and prior to trial the case was settled in the
51 amount of \$60,000, and

52 WHEREAS, the Indian River County School Board has agreed
53 not to oppose this claim bill, NOW, THEREFORE,

54

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



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

59 Section 2. The Indian River County School Board is
60 authorized and directed to appropriate from funds of the school
61 board not otherwise appropriated and to draw a warrant in the
62 sum of \$60,000, payable after July 1, 2003, to Alvin and Shirley
63 Rosemond, parents and natural guardians of Taylor Rosemond, a
64 minor, as compensation for injuries and damages sustained by
65 Taylor Rosemond due to the negligence of Indian River County.
66 Such funds are to be deposited into a guardianship account for
67 the exclusive use and benefit of Taylor Rosemond. The amount
68 payable pursuant to this section is inclusive of costs and
69 attorney's fees as limited by s. 768.28(8), Florida Statutes.

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