

By Senator Posey

24-19-03

1 A bill to be entitled
 2 An act relating to Indian River County;
 3 providing for the relief of Michelle
 4 O'Halloran; requiring the county to compensate
 5 her for injuries and damages to her children
 6 caused by the negligence of an Indian River
 7 County school bus driver; providing an
 8 effective date.

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

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

20 WHEREAS, as a result of the injuries he suffered in the
 21 collision, Clay has incurred medical expenses totaling
 22 \$88,867.47 and will incur medical expenses in the future,
 23 including \$3,300 in dental expenses, and

24 WHEREAS, as a result of the collision, 9-year-old
 25 Tatiana Haywood sustained multiple facial lacerations,
 26 multiple extremity lacerations, and multiple contusions about
 27 the body which will require revision surgery when she has
 28 completed the majority of her growth, and

29 WHEREAS, as a result of the injuries she suffered in
 30 the collision, Tatiana has been left with permanent scarring,
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1 has incurred medical expenses totaling \$3,225.75, and will
2 incur medical expenses in the future, and

3 WHEREAS, the Indian River County School Board admitted
4 liability for the collision and has agreed to a court-ordered
5 mediation settlement of all claims of Clay Haywood and Tatiana
6 Haywood in the amount of \$225,000, payable by the school board
7 in 3 annual installments of \$75,000, NOW, THEREFORE,

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

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

13 Section 2. The Indian River County School Board is
14 authorized and directed to appropriate from funds not
15 otherwise appropriated and to draw three annual warrants in
16 the amount of \$75,000 each, for a total settlement of
17 \$225,000, payable to Michelle O'Halloran, as compensation for
18 the injuries and damages sustained by her children Clay
19 Haywood and Tatiana Haywood due to the negligence of the
20 Indian River County school bus driver.

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

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