

By Senator Campbell

23-37-03

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

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

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

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

28 WHEREAS, the actions taken by the instructors were
29 negligent and caused the death of Michael Yahraus, and

30 WHEREAS, Denise Yahraus, individually and on behalf of
31 the decedent's minor children and as personal representative

1 of her husband's estate filed suit in Sarasota County against
2 the Sarasota County School Board, and

3 WHEREAS, the parties agreed to a settlement in the
4 amount of \$1,250,000 to be paid to the estate and its
5 beneficiaries, and

6 WHEREAS, the Circuit Court in Sarasota County entered a
7 Final Judgment on January 14, 2002, in the amount of
8 \$1,250,000, specifically incorporating the settlement
9 agreement therein, providing that the estate recover that
10 amount from the Sarasota County School Board, and

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

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

16 WHEREAS, the remaining unpaid amount of the judgment is
17 \$1,050,000, NOW, THEREFORE,

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

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

23 Section 2. The Sarasota County School Board is
24 authorized and directed to compensate Denise Yahraus, as
25 personal representative of the Estate of Michael Yahraus, in
26 the total amount of \$1,050,000, out of funds of the District
27 School Board of Sarasota County not otherwise appropriated.

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

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