

By Senator Hill

1-12-04

1 A bill to be entitled
2 An act relating to the Hillsborough County
3 School Board; providing for the relief of Alana
4 Kelly and Richard F. Taylor, Sr.; providing for
5 an appropriation to compensate them for the
6 death of their son, Richard F. Taylor, Jr.,
7 caused by the negligence of a Hillsborough
8 County School Board employee; providing for
9 attorney's fees and costs; providing an
10 effective date.
11
12 WHEREAS, on April 24, 1998, 21-year-old Richard F.
13 Taylor, Jr., was driving his motorcycle in a lawful manner
14 heading south on U.S. 301 in Hillsborough County, and
15 WHEREAS, at the same time, a Hillsborough County school
16 bus operated by a driver employed by the Hillsborough County
17 School Board pulled out from a stop sign and attempted to
18 cross the southbound lanes of U.S. 301 directly in the path of
19 Richard Taylor's motorcycle, and
20 WHEREAS, although Mr. Taylor attempted to stop his
21 motorcycle from colliding with the bus, he was unable to do
22 so, and
23 WHEREAS, as a result of the collision of the school bus
24 with his motorcycle, Mr. Taylor suffered trauma to the head
25 and was pronounced dead at the scene, and
26 WHEREAS, an eyewitness to the accident observed the
27 school bus pull out in front of the motorcycle in violation of
28 the motorcycle's right-of-way, observed Mr. Taylor's attempt
29 to stop, and observed the collision, and
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1 WHEREAS, Richard F. Taylor, Jr., was survived by his
2 mother, Alana Kelly, and his father, Richard F. Taylor, Sr.,
3 who have lost their only son and their only child, and

4 WHEREAS, a lawsuit was filed against the Hillsborough
5 County School Board for the wrongful death of Richard F.
6 Taylor, Jr., and

7 WHEREAS, at the conclusion of the trial, the jury found
8 the school board 75 percent at fault for the death of Richard
9 F. Taylor, Jr., and entered a verdict for \$402,444, and

10 WHEREAS, after proper reductions for comparative fault,
11 the judge entered a final judgment in favor of the claimants
12 for a total of \$301,833, and

13 WHEREAS, the school board did not appeal the verdict
14 and judgment, and

15 WHEREAS, the school board has paid \$200,000 to the
16 claimants pursuant to the limits of liability set forth in
17 section 768.28, Florida Statutes, leaving an unpaid judgment
18 amount of \$101,833, NOW, THEREFORE,

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

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

24 Section 2. The Hillsborough County School Board is
25 authorized and directed to appropriate from funds of the
26 school board not otherwise appropriated and to draw a warrant
27 in the sum of \$50,000, which amount includes statutory
28 attorney's fees and costs, payable to Alana Kelly as
29 compensation for the death of her son, Richard F. Taylor, Jr.,
30 due to the negligence of an employee of the Hillsborough
31 County School Board.

1 Section 3. The Hillsborough County School Board is
2 authorized and directed to appropriate from funds of the
3 school board not otherwise appropriated and to draw a warrant
4 in the sum of \$51,833, which amount includes statutory
5 attorney's fees and costs, payable to Richard F. Taylor, Sr.,
6 as compensation for the death of his son, Richard F. Taylor,
7 Jr., due to the negligence of the Hillsborough County School
8 Board.

9 Section 4. This act shall take effect upon becoming a
10 law.