

HB 0349

2004

1 A bill to be entitled

2 An act relating to the Hillsborough County School Board;
3 providing for the relief of Alana Kelly and Richard F.
4 Taylor, Sr.; providing for an appropriation to compensate
5 them for the death of their son, Richard F. Taylor, Jr.,
6 caused by the negligence of a Hillsborough County School
7 Board employee; providing for attorney's fees and costs;
8 providing an effective date.

9
10 WHEREAS, on April 24, 1998, 21-year-old Richard F. Taylor,
11 Jr., was driving his motorcycle in a lawful manner heading south
12 on U.S. 301 in Hillsborough County, and

13 WHEREAS, at the same time, a Hillsborough County school bus
14 operated by a driver employed by the Hillsborough County School
15 Board pulled out from a stop sign and attempted to cross the
16 southbound lanes of U.S. 301 directly in the path of Richard
17 Taylor's motorcycle, and

18 WHEREAS, although Mr. Taylor attempted to stop his
19 motorcycle from colliding with the bus, he was unable to do so,
20 and

21 WHEREAS, as a result of the collision of the school bus
22 with his motorcycle, Mr. Taylor suffered trauma to the head and
23 was pronounced dead at the scene, and

24 WHEREAS, an eyewitness to the accident observed the school
25 bus pull out in front of the motorcycle in violation of the
26 motorcycle's right-of-way, observed Mr. Taylor's attempt to
27 stop, and observed the collision, and

28 WHEREAS, Richard F. Taylor, Jr., was survived by his
29 mother, Alana Kelly, and his father, Richard F. Taylor, Sr., who
30 have lost their only son and their only child, and

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31 WHEREAS, a lawsuit was filed against the Hillsborough
 32 County School Board for the wrongful death of Richard F. Taylor,
 33 Jr., and

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

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

40 WHEREAS, the school board did not appeal the verdict and
 41 judgment, and

42 WHEREAS, the school board has paid \$200,000 to the
 43 claimants pursuant to the limits of liability set forth in s.
 44 768.28, Florida Statutes, leaving an unpaid judgment amount of
 45 \$101,833, NOW, THEREFORE,

46

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

48

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

51 Section 2. The Hillsborough County School Board is
 52 authorized and directed to appropriate from funds of the school
 53 board not otherwise appropriated and to draw a warrant in the
 54 sum of \$50,000, which amount includes statutory attorney's fees
 55 and costs, payable to Alana Kelly as compensation for the death
 56 of her son, Richard F. Taylor, Jr., due to the negligence of an
 57 employee of the Hillsborough County School Board.

58 Section 3. The Hillsborough County School Board is
 59 authorized and directed to appropriate from funds of the school
 60 board not otherwise appropriated and to draw a warrant in the

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61 sum of \$51,833, which amount includes statutory attorney's fees
62 and costs, payable to Richard F. Taylor, Sr., as compensation
63 for the death of his son, Richard F. Taylor, Jr., due to the
64 negligence of an employee of the Hillsborough County School
65 Board.

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