

CHAMBER ACTION

1 The Committee on Judiciary recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5
6 A bill to be entitled
7 An act relating to Escambia County; providing for the
8 relief of Bronwen Dodd; authorizing and directing the
9 District School Board of Escambia County to compensate
10 Bronwen Dodd for personal injuries that she suffered due
11 to the negligence of an employee of the school board;
12 providing for attorney's fees and costs; providing an
13 effective date.

14
15 WHEREAS, on the afternoon of March 24, 1997, an accident
16 involving an automobile and a school bus occurred at the
17 intersection of Summit Boulevard and Goya Drive in Escambia
18 County, and

19 WHEREAS, Bronwen Dodd was driving a 1988 Honda eastwardly
20 on Summit Boulevard, and a driver employed by the Escambia
21 County School Board was driving a school bus westwardly on
22 Summit Boulevard, and

HB 765

2004
CS

23 WHEREAS, the driver of the school bus had stopped and
24 turned left in order to go south on Goya Drive, and

25 WHEREAS, as the school bus was turning south onto Goya
26 Drive, it struck Bronwen Dodd's Honda, causing that vehicle to
27 collide with another car that was stopped on Goya Drive, and

28 WHEREAS, a court subsequently found that the driver of the
29 school bus violated the right-of-way in making the turn, and

30 WHEREAS, as a result of the accident, Bronwen Dodd suffered
31 severe injuries, including: a closed-head injury (with loss of
32 consciousness); basilar skull, temporal, and sinus fractures; a
33 fractured mandible; cranial nerve injury; significant dental
34 injuries with multiple avulsions of her left incisor, left
35 medial incisor, maxillary teeth, and canines; bilateral
36 pneumothoraces; a punctured lower lip; a lacerated tongue;
37 multiple lacerations to her arm, face, and lower extremities;
38 and optical and auditory damage, and

39 WHEREAS, those injuries necessitated extensive medical
40 treatment, rehabilitation, and restorative treatments, and

41 WHEREAS, litigation relating to this accident was begun
42 and, after two unsuccessful attempts at mediation, both parties
43 agreed to participate in binding arbitration, which took place
44 on December 18, 2000, and

45 WHEREAS, on December 20, 2000, the arbitration panel
46 awarded Bronwen Dodd \$275,000, which did not include any award
47 for past medical expenses, and

48 WHEREAS, after the arbitrators assessed 20-percent
49 negligence to Bronwen Dodd, her award was reduced to \$220,000,
50 and

HB 765

2004
CS

51 WHEREAS, a final judgment in the amount of \$340,999.75 was
52 entered against the Escambia County School Board on May 21,
53 2001, and

54 WHEREAS, the Escambia County School Board has paid to
55 Bronwen Dodd the sum of \$100,000, which is the statutory limit
56 pursuant to s. 768.28, Florida Statutes, and Bronwen Dodd is,
57 therefore, petitioning the Legislature for further reimbursement
58 in the amount of \$240,999.75, NOW, THEREFORE,

59

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

61

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

64 Section 2. The District School Board of Escambia County is
65 authorized and directed to appropriate from funds of the school
66 board not otherwise appropriated and to draw a warrant in the
67 amount of \$240,999.75, which amount includes statutory
68 attorney's fees and costs, payable to Bronwen Dodd as
69 compensation for injuries and damages sustained as a result of
70 the negligence of an employee of the school board.

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