

By Senator Campbell

32-100-05

1 A bill to be entitled
2 An act relating to Miami-Dade County; providing
3 for the relief of Anthony John Angelillo,
4 individually and as the father and natural
5 guardian of Anthony Jacob Angelillo, a minor;
6 authorizing and directing Miami-Dade County to
7 compensate Anthony John Angelillo and Anthony
8 Jacob Angelillo for injuries suffered due to
9 the negligence of Miami-Dade County; providing
10 an effective date.

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12 WHEREAS, on April 30, 2002, Anthony John Angelillo was
13 driving his motorcycle, and Miami-Dade Police Officer Barry
14 Savage was driving an automobile owned by Miami-Dade County,
15 and

16 WHEREAS, Officer Savage was on duty and was an agent
17 and employee of Miami-Dade County and acting within the scope
18 of his authority, and

19 WHEREAS, on April 30, 2002, a collision between the
20 motorcycle driven by Anthony John Angelillo and the automobile
21 driven by Officer Savage occurred at the intersection of
22 Northwest 107th Avenue and Northwest 58th Street in Medley,
23 Miami-Dade County, when Officer Savage turned his automobile
24 onto Northwest 107th Avenue from Northwest 58th Street, and

25 WHEREAS, as a result of the accident, Anthony John
26 Angelillo suffered severe bodily injury to his right arm,
27 right elbow, and right shoulder, which are now permanently
28 impaired; a broken clavicle; an impaired lung, which required
29 surgery; and an injured left foot, which necessitated a muscle
30 graft and which foot is permanently impaired, all of which
31 required numerous medical procedures and operations, and

1 WHEREAS, as a result of the injuries, Anthony John
2 Angelillo has constant pain, which requires consistent
3 medication; he is required to use a cane to walk; and he will
4 need further medical procedures to his left foot and to his
5 right extremity to allow him to fully straighten it and
6 possibly use his right arm and shoulder for normal everyday
7 activities in the future, and

8 WHEREAS, as a result of this accident, a legal action
9 was filed by Anthony John Angelillo against Miami-Dade County
10 in the Circuit Court of the Eleventh Judicial Circuit in and
11 for Miami-Dade County (Case No. 01-11002-CA-20) alleging
12 negligence on the part of Miami-Dade County, and

13 WHEREAS, Anthony John Angelillo and Miami-Dade County
14 voluntarily settled this claim and lawsuit for the sum of
15 \$450,000, and

16 WHEREAS, since the maximum amount that may be awarded
17 and voluntarily paid under section 768.28, Florida Statutes,
18 the sum of \$200,000, has been paid, Anthony John Angelillo,
19 individually and as the father and natural guardian of Anthony
20 Jacob Angelillo, a minor, petitions the Legislature for
21 further payment in the amount of \$250,000, and

22 WHEREAS, in the Settlement and Release of All Claims
23 executed by the parties in the lawsuit filed in this matter,
24 Miami-Dade County agreed not to object to a claim bill
25 presented to the Florida Legislature in the amount of
26 \$250,000, NOW, THEREFORE,

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

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

1 Section 2. Miami-Dade County is authorized and
2 directed to appropriate from funds of the county not otherwise
3 encumbered and to pay, as agreed by the parties in accordance
4 with the release of all claims, to Anthony John Angelillo,
5 father and natural guardian of Anthony Jacob Angelillo, a
6 minor, the sum of \$250,000, to be used for the benefit of
7 Anthony Jacob Angelillo as compensation for injuries suffered
8 due to the negligence of an employee of Miami-Dade County.

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