

By Senator Siplin

19-112-06

1 A bill to be entitled

2 An act relating to Polk County; providing for

3 the relief of Donna Sofka for injuries

4 sustained due to the negligence of Polk County;

5 providing for an appropriation; providing an

6 effective date.

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8 WHEREAS, on December 28, 1988, Donna Sofka was involved

9 in a vehicular accident that left her a quadriplegic, and

10 WHEREAS, on that date, Ms. Sofka was driving her car

11 westward on East Lamp Post Lane north of Lakeland, where East

12 Lamp Post Lane meets Old Polk City Road at the crest of a

13 small hill, and

14 WHEREAS, East Lamp Post Lane had recently been extended

15 past Old Polk City Road into a relatively new road named West

16 Lamp Post Lane, but there was no stop sign or other marking

17 denoting the intersection, and

18 WHEREAS, despite Polk County's knowledge that recent

19 construction in the area had created a four-way intersection

20 and essentially a "through" street, traffic-control devices

21 had not been installed at the time of the accident, and

22 WHEREAS, suit was filed against various defendants,

23 including Polk County, and, at trial, un rebutted testimony

24 established that the creation of the four-way intersection

25 created a dangerous condition, and

26 WHEREAS, Polk County's own traffic-sign foreman

27 concurred that the intersection was dangerous, and the manual

28 used by the county clearly indicated that traffic control

29 devices were needed at the intersection, and

30 WHEREAS, the jury agreed and awarded Donna Sofka \$6.5

31 million in damages, in accordance with the degree of

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 responsibility for the accident attributed to the county,
2 which was 77 percent, and

3 WHEREAS, after years of appeals and a new trial, a
4 Stipulated Final Judgment in the amount of \$600,000 against
5 the county was entered into by the parties, NOW, THEREFORE,

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

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

11 Section 2. Polk County is authorized and directed to
12 appropriate from funds of the county not otherwise
13 appropriated and to draw a warrant in the amount of \$600,000,
14 payable to Donna Sofka as compensation for injuries and
15 damages sustained as a result of the negligence of Polk
16 County.

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

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