

1 A bill to be entitled

2 An act relating to Palm Beach County; providing for the  
3 relief of Claudia Kautz, mother of Diana M. Kautz,  
4 deceased, and Jeffrey Kautz, father of Diana M. Kautz,  
5 deceased; providing for an appropriation to compensate  
6 them for injuries and damages sustained as a result of the  
7 negligence of an employee of the District School Board of  
8 Palm Beach County; providing for attorney's fees and  
9 costs; providing an effective date.

10  
11 WHEREAS, on November 11, 2004, Maria E. Abrahantes  
12 negligently operated a school bus at the intersection of Orange  
13 Boulevard and Hall Boulevard in Royal Palm Beach, Palm Beach  
14 County, Florida, so that the school bus collided with another  
15 vehicle and rolled over, causing serious injury to and the  
16 subsequent death of passenger Diana M. Kautz, and

17 WHEREAS, at the time of the accident, Maria E. Abrahantes  
18 was operating the school bus as an employee of the District  
19 School Board of Palm Beach County in a southbound direction on  
20 Hall Boulevard, and

21 WHEREAS, at its intersection with Orange Boulevard, a stop  
22 sign was visible on Hall Boulevard and five sets of "rumble  
23 strips" were in place on the southbound lane leading up to the  
24 stop sign, and

25 WHEREAS, Maria E. Abrahantes negligently operated the  
26 school bus by traveling over the rumble strips without braking,  
27 thus running the stop sign and entering Orange Boulevard,  
28 violating the right-of-way of east-west traffic and causing the

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29 truck operated by Jeffrey Schwartz to hit the school bus, which  
 30 rolled over and caused serious injury to and the subsequent  
 31 death of Diana M. Kautz, and

32 WHEREAS, the school district has agreed to pay the  
 33 claimants, Claudia and Jeffrey Kautz, parents of decedent Diana  
 34 M. Kautz, the sum of \$200,000, the maximum amount payable under  
 35 the waiver of sovereign immunity provided under s. 768.28,  
 36 Florida Statutes, and

37 WHEREAS, the amount remaining under the claim for damages  
 38 in the amount of \$1.1 million is \$900,000, a sum that the  
 39 District School Board of Palm Beach County has agreed to pay,  
 40 and

41 WHEREAS, the school district does not oppose the passage of  
 42 this act, NOW, THEREFORE,

43

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

45

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

48 Section 2. The District School Board of Palm Beach County  
 49 is authorized and directed to appropriate from funds of the  
 50 school board not otherwise appropriated and to draw a warrant in  
 51 the sum of \$900,000 payable to Claudia and Jeffrey Kautz,  
 52 parents of Diana M. Kautz, deceased, as compensation for  
 53 injuries and damages sustained as a result of the negligence of  
 54 an employee of the District School Board of Palm Beach County.  
 55 The settlement shall be paid as a single, one-time payment, and,  
 56 after payment of costs and attorney's fees as limited by s.

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57 768.28(8), Florida Statutes, the remaining moneys shall be  
58 distributed as follows:

59 (1) Fifty percent shall be paid to Claudia Kautz, mother  
60 of Diana M. Kautz, deceased; and

61 (2) Fifty percent shall be paid to Jeffrey Kautz, father  
62 of Diana M. Kautz, deceased.

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