

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 lobbying fees, attorney's
9 fees, and costs; providing an effective date.

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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

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:

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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 lobbying fees, attorney's fees, and costs as

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57 limited by this act, the remaining moneys shall be distributed
58 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. Payment for the combined total of professional
64 services and costs incurred by attorneys, lobbyists, and agents
65 or representatives of attorneys or lobbyists shall not exceed
66 \$161,410.

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