

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

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

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

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

27           WHEREAS, Maria E. Abrahantes negligently operated the  
28 school bus by traveling over the rumble strips without  
29 braking, thus running the stop sign and entering Orange  
30 Boulevard, violating the right-of-way of east-west traffic and  
31 causing the truck operated by Jeffrey Schwartz to hit the

1 school bus, which rolled over and caused serious injury to and  
2 the subsequent death of Diana M. Kautz, and

3 WHEREAS, the school district has agreed to pay the  
4 claimants, Claudia and Jeffrey Kautz, parents of decedent  
5 Diana M. Kautz, the sum of \$200,000, the maximum amount  
6 payable under the waiver of sovereign immunity provided under  
7 s. 768.28, Florida Statutes, and

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

12 WHEREAS, the school district does not oppose the  
13 passage of this act, NOW, THEREFORE,

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. The facts stated in the preamble to this  
18 act are found and declared to be true.

19 Section 2. The District School Board of Palm Beach  
20 County is authorized and directed to appropriate from funds of  
21 the school board not otherwise appropriated and to draw a  
22 warrant in the sum of \$900,000 payable to Claudia and Jeffrey  
23 Kautz, parents of Diana M. Kautz, deceased, as compensation  
24 for injuries and damages sustained as a result of the  
25 negligence of an employee of the District School Board of Palm  
26 Beach County. The settlement shall be paid as a single,  
27 one-time payment, and, after payment of lobbying fees,  
28 attorney's fees, and costs as limited by this act, the  
29 remaining moneys shall be distributed as follows:

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

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

3           Section 3. Payment for the combined total of  
4 professional services and costs incurred by attorneys,  
5 lobbyists, and agents or representatives of attorneys or  
6 lobbyists shall not exceed \$161,410.

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

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