

HB 1507

2009

1                   A bill to be entitled  
2           An act for the relief of Laura D. Strazza; providing  
3           an appropriation to compensate her for injuries she  
4           sustained as a result of the negligence of an employee  
5           of the Department of Agriculture and Consumer  
6           Services; providing a limitation on the payment of  
7           fees and costs; providing an effective date.

8  
9           WHEREAS, on April 25, 1996, Laura D. Strazza was riding as  
10          a passenger in a motor vehicle on U.S. 1 in Juno Beach, Palm  
11          Beach County, and

12          WHEREAS, an employee of the Department of Agriculture and  
13          Consumer Services, Division of Forestry, was operating, on and  
14          next to that highway, a large transport truck that collided with  
15          the motor vehicle in which Laura D. Strazza was a passenger, and

16          WHEREAS, as a consequence of this motor vehicle crash,  
17          Laura D. Strazza sustained multiple grievous injuries such that  
18          she has been unable to work, has undergone surgical procedures,  
19          and needs to undergo future surgical procedures, and

20          WHEREAS, a legal action was brought by Laura Strazza, a  
21          single woman, against the Department of Agriculture and Consumer  
22          Services, and

23          WHEREAS, on July 13, 1999, a jury rendered a verdict in  
24          favor of Laura D. Strazza, finding that the Department of  
25          Agriculture and Consumer Services was partly negligent in  
26          causing a motor vehicle crash between the vehicle in which Ms.  
27          Strazza was riding as a passenger and the department's transport  
28          truck, and

29 WHEREAS, the jury rendered damages in the amount of  
 30 \$1,464,000, and, after reduction for collateral sources and  
 31 comparative negligence of the driver of the vehicle in which Ms.  
 32 Strazza was riding, a Final Judgment in the amount of \$944,829  
 33 and a Cost Judgment in the amount of \$32,490.62, both bearing  
 34 interest at the statutory rate of 10 percent per year, were  
 35 entered against the Department of Agriculture and Consumer  
 36 Services, and

37 WHEREAS, the Department of Agriculture and Consumer  
 38 Services has paid Laura Strazza \$100,000, the maximum amount  
 39 allowable under s. 768.28, Florida Statutes, and the remainder  
 40 owed under the judgment will be \$877,319.62, plus \$5,002.60 in  
 41 additional costs, for a total amount of \$882,322.22, NOW,  
 42 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 sum of \$882,322.22 is appropriated from the  
 49 General Revenue Fund to the Department of Agriculture and  
 50 Consumer Services for the relief of Laura D. Strazza for  
 51 injuries and damages sustained.

52 Section 3. The Chief Financial Officer is directed to draw  
 53 a warrant in favor of Laura D. Strazza in the amount of  
 54 \$882,322.22 upon funds of the Department of Agriculture and  
 55 Consumer Services in the State Treasury, and the Chief Financial  
 56 Officer is directed to pay the same out of such funds in the

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57 | State Treasury.

58 |       Section 4. This award is intended to provide the sole  
59 | compensation for all present and future claims arising out of  
60 | the factual situation described in this act which resulted in  
61 | injuries to Laura D. Strazza. The total amount paid for  
62 | attorney's fees, lobbying fees, costs, and other similar  
63 | expenses relating to this claim may not exceed 25 percent of the  
64 | amount awarded under this act.

65 |       Section 5. This act shall take effect upon becoming a law.