

By Senator Diaz de la Portilla

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1 A bill to be entitled
2 An act for the relief of Rafael Zaldivar and Kyoko
3 Zaldivar, parents of Alex Zaldivar, deceased,
4 individually and as co-personal representatives of the
5 Estate of Alex Zaldivar, and Brienna Campos and
6 Remington Campos by Orange County; providing for an
7 appropriation to compensate Rafael Zaldivar and Kyoko
8 Zaldivar for the death of Alex Zaldivar and to
9 compensate Brienna Campos and Remington Campos for the
10 injuries and damages they sustained as a result of the
11 negligence of Orange County; providing a limitation on
12 the payment of fees and costs; providing an effective
13 date.

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15 WHEREAS, on September 10, 2012, Alex Zaldivar, deceased,
16 Brienna Campos, and Remington Campos were attacked and shot
17 during a home invasion robbery perpetrated by Bessman Okafor,
18 who was being monitored by Orange County Corrections
19 Department's Community Corrections Division, and

20 WHEREAS, the Estate of Alex Zaldivar and Brienna Campos and
21 Remington Campos have alleged that the negligence of Orange
22 County was the proximate cause of the death of Alex Zaldivar and
23 the injuries sustained by Brienna Campos and Remington Campos,
24 and

25 WHEREAS, Rafael Zaldivar and Kyoko Zaldivar, as parents of
26 Alex Zaldivar, and Brienna Campos and Remington Campos have
27 suffered extreme mental anguish and undergone great suffering as
28 a result of the events of September 10, 2012, and

29 WHEREAS, Orange County and the Estate of Alex Zaldivar have

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30 agreed to settle the Estate's claim for \$300,000; Orange County
31 and Brienna Campos have agreed to settle her claim for \$200,000;
32 and Orange County and Remington Campos have agreed to settle his
33 claim for \$200,000, and

34 WHEREAS, pursuant to the settlement agreements, Orange
35 County has paid \$100,000 to each of the claimants, leaving an
36 unpaid balance of \$200,000 for the Estate of Alex Zaldivar and
37 \$100,000 each for Brienna Campos and Remington Campos, and

38 WHEREAS, the respective claims of the Estate of Alex
39 Zaldivar, Brienna Campos, and Remington Campos will be fully
40 satisfied upon payment by Orange County to the Estate of Alex
41 Zaldivar in the amount \$200,000, to Brienna Campos in the amount
42 of \$100,000, and to Remington Campos in the amount of \$100,000
43 with the passage of a claim bill to pay the remaining balances,
44 NOW, THEREFORE,

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

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

50 Section 2. Orange County is authorized and directed to
51 appropriate from funds of the county not otherwise appropriated
52 and to draw a warrant in the sum of \$200,000 payable to the
53 Estate of Alex Zaldivar, as compensation for injuries and
54 damages sustained by Rafael Zaldivar and Kyoko Zaldivar, as
55 parents of Alex Zaldivar, deceased; a warrant in the sum of
56 \$100,000 payable to Brienna Campos as compensation for the
57 injuries and damages sustained by the claimant, and a warrant in
58 the sum of \$100,000 payable to Remington Campos as compensation

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59 for the injuries and damages sustained by the claimant.

60 Section 3. The amount paid by Orange County pursuant to s.
61 768.28, Florida Statutes, and the amount awarded under this act
62 are intended to provide the sole compensation for all present
63 and future claims arising out of the factual situation described
64 in the preamble to this act which resulted in the death of Alex
65 Zaldivar and the injuries to Brienna Campos and Remington
66 Campos. The total amount paid for attorney fees, lobbying fees,
67 costs, and similar expenses relating to this claim may not
68 exceed 25 percent of the total amount awarded under this act.
69 However, taxable costs, which may not include attorney fees and
70 lobbying fees, related to the underlying civil action may be
71 collected in addition to the aforementioned attorney fees and
72 lobbying fees.

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