

By the Committee on Judiciary; and Senator Steube

590-03420-17

201714c1

1 A bill to be entitled

2 An act for the relief of Lillian Beauchamp, as the  
3 personal representative of the Estate of Aaron  
4 Beauchamp, by the St. Lucie County School Board;  
5 providing for an appropriation to compensate the  
6 Estate of Aaron Beauchamp for his wrongful death as a  
7 result of the negligence of the St. Lucie County  
8 School District; providing a limitation on the payment  
9 of compensation, fees, and costs; providing an  
10 effective date.

11  
12 WHEREAS, on the afternoon of March 26, 2012, 9-year-old  
13 Aaron Beauchamp boarded a school bus driven by St. Lucie County  
14 School District employee, Albert Hazen, and

15 WHEREAS, shortly before Mr. Hazen reported to work that  
16 afternoon, the district assigned him an additional bus route  
17 that was unfamiliar to him, and

18 WHEREAS, at approximately 3:45 p.m., Mr. Hazen was driving  
19 the school bus along the unfamiliar route, headed west on  
20 Okeechobee Road with approximately 30 elementary school students  
21 on board, and

22 WHEREAS, Mr. Hazen's first stop that afternoon was at the  
23 St. Lucie County Fairgrounds, which he planned to reach by  
24 making a left turn from Okeechobee Road onto Midway Road, and

25 WHEREAS, the school bus driven by Mr. Hazen was equipped  
26 with a district-installed surveillance camera which captured the  
27 events of that afternoon, and

28 WHEREAS, as Mr. Hazen approached the intersection of  
29 Okeechobee Road and Midway Road and activated his left turn

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30 signal, the weather was clear and there were no visual  
31 obstructions in the roadway, and

32 WHEREAS, Mr. Hazen turned onto Midway Road without stopping  
33 at the intersection, travelling directly into the path of an  
34 oncoming, fully-loaded tractor trailer, and

35 WHEREAS, Mr. Hazen operated the school bus in a negligent  
36 manner and the district, through the negligent action of its  
37 employee, Mr. Hazen, breached a duty of care to Aaron Beauchamp,  
38 and

39 WHEREAS, the tractor trailer violently slammed into the  
40 rear passenger side of the school bus, propelling it into the  
41 air and spinning it around, and

42 WHEREAS, the impact of the crash inflicted numerous  
43 catastrophic injuries upon the students, and first responders to  
44 the accident had to follow procedures for a mass casualty event,  
45 and

46 WHEREAS, Aaron Beauchamp was sitting in the back of the  
47 school bus on the driver's side and, despite the fact that he  
48 was wearing his seatbelt, was ejected from his seat into the  
49 interior of the bus, and

50 WHEREAS, Aaron Beauchamp suffered massive injuries to his  
51 spine and brain and died at the scene of the crash, and

52 WHEREAS, Aaron Beauchamp is survived by his mother, Lillian  
53 Beauchamp, a school principal and long-time district employee,  
54 his father, Simon Beauchamp, and an older brother, Benjamin  
55 Beauchamp, and

56 WHEREAS, Lillian Beauchamp, as the personal representative  
57 of the estate of Aaron Beauchamp, filed a wrongful death lawsuit  
58 against the district in the case of *Lillian Beauchamp*, as

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59 *Personal Representative of the Estate of Aaron Beauchamp, a*  
60 *deceased Child v. The St. Lucie County School District, which*  
61 *was assigned case number 2013CA000569, and*

62 WHEREAS, on September 8, 2015, a jury returned a unanimous  
63 verdict awarding \$10 million to Lillian Beauchamp, as the  
64 personal representative of the estate of Aaron Beauchamp,  
65 finding that the district was 87 percent at fault for the  
66 accident, and

67 WHEREAS, on November 2, 2015, the judge in the case entered  
68 a final judgment against the district for \$8.7 million, which  
69 the district did not appeal, and

70 WHEREAS, in accordance with s. 768.28, Florida Statutes,  
71 the district paid the statutory limit of \$300,000 to other  
72 children who were injured in the same incident that resulted in  
73 the wrongful death of Aaron Beauchamp, and

74 WHEREAS, the district and Lillian Beauchamp, as the  
75 personal representative of the estate of Aaron Beauchamp, have  
76 reached a settlement agreement in the amount \$1.5 million, NOW,  
77 THEREFORE,

78  
79 Be It Enacted by the Legislature of the State of Florida:

80  
81 Section 1. The facts stated in the preamble to this act are  
82 found and declared to be true.

83 Section 2. The St. Lucie County School District is  
84 authorized and directed to appropriate from its funds not  
85 otherwise encumbered and, on or before November 1, 2017, to draw  
86 a warrant in the amount of \$1.5 million payable to Lillian  
87 Beauchamp, as the personal representative of the estate of Aaron

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88 Beauchamp, as compensation for damages sustained in connection  
89 with his wrongful death.

90 Section 3. The amount awarded under this act is intended to  
91 provide the sole compensation for all present and future claims  
92 arising out of the factual situation described in this act which  
93 resulted in the wrongful death of Aaron Beauchamp. Of the amount  
94 awarded under this act, the total amount paid for attorney fees  
95 may not exceed \$300,000, the total amount paid for lobbying fees  
96 may not exceed \$75,000, and the total amount paid for costs and  
97 other similar expenses relating to this claim may not exceed  
98 \$4,246.02.

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