

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

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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  
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*  
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 full amount of the judgment against the  
75 district for the wrongful death of Aaron Beauchamp remains

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76 unpaid, and

77 WHEREAS, the district and Lillian Beauchamp, as the  
78 personal representative of the estate of Aaron Beauchamp, have  
79 not reached a settlement regarding this claim, and the district  
80 contests the bill, NOW, THEREFORE,

81

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

83

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

86 Section 2. The St. Lucie County School Board is authorized  
87 and directed to appropriate from its funds not otherwise  
88 encumbered and to draw a warrant in the amount of \$8.7 million  
89 payable to Lillian Beauchamp, as the personal representative of  
90 the estate of Aaron Beauchamp, as compensation for damages  
91 sustained in connection with his wrongful death.

92 Section 3. The amount awarded under this act is intended  
93 to provide the sole compensation for all present and future  
94 claims arising out of the factual situation described in this  
95 act which resulted in the wrongful death of Aaron Beauchamp. The  
96 total amount paid for attorney fees, lobbying fees, costs, and  
97 similar expenses relating to this claim may not exceed 25  
98 percent of the amount awarded under this act.

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