

ENROLLED

CS/CS/HB 6529

2017 Legislature

1
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 District;
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

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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 district and Lillian Beauchamp, as the
75 personal representative of the estate of Aaron Beauchamp, have

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

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