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LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 01/30/2018 | . | |
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The Committee on Judiciary (Galvano) recommended the following:

Senate Substitute for Amendment (631512)

Delete lines 9 - 148
and insert:

WHEREAS, on November 22, 1996, Ramiro Companioni, Jr., was seriously injured while operating his motorcycle on East Hillsborough Avenue in Tampa, Florida, as a result of a collision with a City of Tampa Water Department truck, and

WHEREAS, a lawsuit was filed and in 2004 a final judgment was entered in favor of Mr. Companioni in the amount of \$17,928,800 against the City of Tampa, based on a jury verdict



233232

12 in the amount of \$19,932,000, and

13 WHEREAS, after appeals and all legal remedies were
14 exhausted, claim bills have been filed annually since the 2014
15 Regular Session seeking the full amount of the final judgment,
16 plus interest, for Mr. Companioni, and

17 WHEREAS, the parties have agreed to a compromised
18 settlement in the amount of \$5 million, NOW, THEREFORE,

19

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

21

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

24 Section 2. The City of Tampa is authorized and directed to
25 appropriate from funds not otherwise encumbered and to draw a
26 warrant in the sum of \$5 million, to fund a special needs trust
27 created for the exclusive use and benefit of Ramiro Companioni,
28 Jr., as compensation for injuries and damages sustained as
29 described in this act.

30 Section 3. The amount paid by the City of Tampa pursuant to
31 s. 768.28, Florida Statutes, and the amount awarded under this
32 act are intended to provide the sole compensation for all
33 present and future claims arising out of the factual situation
34 described in this act which resulted in injuries and damages to
35 Mr. Companioni. The total amount paid for attorney fees relating
36 to this claim may not exceed 25 percent of the amount awarded
37 under this act.

38 Section 4. Excluding the federal portions of any liens,
39 Medicaid or otherwise, which the claimant must pay, it is the
40 intent of the Legislature that the lien interests relating to



233232

41 the treatment and care of Ramiro Companioni, Jr., are hereby
42 waived or extinguished.