

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Fernandez-Barquin offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

Section 2. The Palm Beach County Sheriff's Office is authorized and directed to appropriate from funds of the Palm Beach County Sheriff's Office not otherwise encumbered and to draw a warrant in the sum of \$4,500,000, payable as follows: \$3,375,000 payable at the direction of Evett L. Simmons, as guardian of the property of Dontrell Stephens, to fund the future care of Dontrell Stephens and as compensation for

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14 injuries and damages sustained, and attorney fees, lobbying
15 fees, and costs relating to this claim shall not exceed 25
16 percent of the amount awarded.

17 Section 3. Except as provided in section 4 of this act,
18 the amount paid by the Palm Beach County Sheriff's Office
19 pursuant to s. 768.28, Florida Statutes, and the amount awarded
20 under this act are intended to provide the sole compensation for
21 all present and future claims arising out of the factual
22 situation described in this act which resulted in injuries
23 suffered by Dontrell Stephens. The total amount paid for
24 attorney fees relating to this claim may not exceed 25 percent
25 of the amount awarded under this act.

26 Section 4. Excluding the federal portions of any liens,
27 Medicaid or otherwise, which the claimant must pay, it is the
28 intent of the Legislature that the lien interests relating to
29 the treatment and care of Dontrell Stephens are hereby waived
30 and extinguished. To the extent such lien interests are not
31 extinguished, it shall be the responsibility of the Palm Beach
32 County Sheriff's Office to compromise or satisfy such liens up
33 to the amount of \$1,500,000 and to indemnify and hold harmless
34 Dontrell Stephens and Evett L. Simmons, as guardian of the
35 property of Dontrell Stephens, from any liability, cost, or
36 expense which may arise in connection with such liens, except
37 for any obligation exceeding the total of \$1,500,000, if any,
38 which shall remain the responsibility of Dontrell Stephens and

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39 Evett L. Simmons, as guardian of the property of Dontrell
40 Stephens, to compromise or satisfy.

41 Section 5. This act shall take effect upon becoming a law.
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45 **T I T L E A M E N D M E N T**

46 Remove lines 7-9 and insert:

47 of a deputy of the office; providing for payment of
48 compensation, fees, and costs; providing a limitation
49 on the payment of attorney fees, lobbying fees, and
50 costs; providing for the waiver and extinguishment of
51 certain liens; providing that certain unextinguished
52 lien interest shall be the responsibility of the Palm
53 Beach County Sheriff's Office; providing a limitation
54 on the payment of such liens; providing an effective
55 date.

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