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26 WHEREAS, while in the crosswalk, Ms. Garcia was struck by a
 27 school bus carrying 28 students driven by Patricia Gavin, an
 28 employee of the Pinellas County School Board, and

29 WHEREAS, the right front side of the bus hit Ms. Garcia
 30 squarely, her umbrella flew upward on impact, and she was thrown
 31 out of the crosswalk to the pavement, and

32 WHEREAS, the rear wheels of the bus then ran over Ms.
 33 Garcia as the bus turned, and Ms. Garcia was left directly
 34 behind the bus in the westbound lanes of Curlew Road, just east
 35 of the crosswalk, and

36 WHEREAS, the bus left the scene, and Ms. Gavin did not
 37 report anything unusual, and

38 WHEREAS, when later questioned, Ms. Gavin said she "heard a
 39 thump" but thought she had hit the curb, and

40 WHEREAS, Ms. Gavin later admitted that she had not followed
 41 her authorized route and that she was unable to see Ms. Garcia
 42 because the front windshield of the school bus was fogged and
 43 her vision was obscured, and

44 WHEREAS, Ms. Garcia was transported by ambulance to
 45 Bayfront Hospital in St. Petersburg, the closest trauma center
 46 to the accident site, and

47 WHEREAS, Ms. Garcia was treated for multiple life-
 48 threatening injuries, including broken pelvic bones, fractures
 49 in her left and right hip joints, fractures in her lumbar spine
 50 and ribs, a fractured left shoulder blade, a large area of torn

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51 skin from her upper leg, injuries to ligaments in her right
52 knee, a damaged spleen, a collapsed left lung, internal
53 bleeding, and other internal injuries, and

54 WHEREAS, Ms. Garcia was hospitalized for more than 2
55 months, 1 month of which was spent in intensive care, during
56 which time she underwent multiple surgeries, skin grafts, pain
57 management, and therapy, and

58 WHEREAS, Ms. Garcia's right arm sustained nerve damage,
59 rendering the arm immobile and causing her to have great
60 difficulty writing, gripping objects, or using the fingers of
61 her right hand, and

62 WHEREAS, Ms. Garcia suffered a traumatic brain injury,
63 likely from a posttraumatic stroke, and exhibits associated
64 deficits in memory, concentration, executive function, and
65 language skills, and

66 WHEREAS, Ms. Garcia has never recovered from her injuries,
67 continues to limp, has trouble keeping her balance, and cannot
68 walk more than the length of a room without a walker or other
69 assistance, and

70 WHEREAS, Ms. Garcia struggles with daily living, cannot
71 lift pots and pans or stay on her feet long enough to cook, and
72 her brain injuries often prevent her from remembering the right
73 ingredients or sequences for preparing food, and

74 WHEREAS, Ms. Garcia's skin grafts have become infected
75 several times, and she has had to return to the emergency room

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76 | to have them treated, and

77 | WHEREAS, Ms. Garcia's medical bills total \$1,988,328.11 and
78 | continue to increase as she suffers residual accident-related
79 | conditions, and

80 | WHEREAS, at the time of her injury, Ms. Garcia made \$9 per
81 | hour and worked 40 hours per week as a stocker in a thrift shop,
82 | equating to \$18,000 per year, and has now been out of work for
83 | more than 3 years with lost wages totaling \$60,000, and

84 | WHEREAS, a life care plan created by Dr. Gloydian Cruz, a
85 | physician board certified in physical medicine and
86 | rehabilitation, calculated that Ms. Garcia will require future
87 | care of \$1,206,645.99, with a present value of \$1,431,321, and

88 | WHEREAS, Ms. Garcia has a work-life expectancy of 24 more
89 | years, resulting in a loss of future earning capacity of
90 | \$432,000 before reduction to present value, and

91 | WHEREAS, in resolving the civil action brought in the
92 | Circuit Court for the Sixth Judicial Circuit, in and for
93 | Pinellas County, *Maria Garcia vs. the School Board of Pinellas*
94 | *County*, Case No. 19-008530-CI, the Pinellas County School Board
95 | admitted liability and agreed to a Consent Judgment entered on
96 | May 16, 2022, against the Pinellas County School Board in the
97 | amount of \$3 million with interest accruing at the statutory
98 | rate, NOW, THEREFORE,

99 |

100 | Be It Enacted by the Legislature of the State of Florida:

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

Section 2. In addition to the \$200,000 already paid to Maria Garcia, the Pinellas County School Board is authorized and directed to appropriate from funds of the school board not otherwise encumbered and to draw a warrant in the sum of \$2.8 million payable to Maria Garcia as compensation for injuries and damages sustained by Maria Garcia due to the negligence of an employee of the Pinellas County School Board.

Section 3. Excluding the federal portions of any liens, Medicaid or otherwise, which the claimant must satisfy pursuant to s. 409.910, Florida Statutes, it is the intent of the Legislature that the lien interests relating to the care and treatment of Maria Garcia are hereby waived and extinguished.

Section 4. The amount paid by the Pinellas County School Board pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation to Maria Garcia for all present and future claims arising out of the factual situation described in this act. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the amount awarded under this act.

Section 5. This act shall take effect upon becoming a law.