

By Senator Rodriguez

40-00078-25

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1 A bill to be entitled
2 An act for the relief of Jose Correa by Miami-Dade
3 County; providing for an appropriation to compensate
4 Jose Correa for injuries sustained as a result of the
5 negligence of an employee of Miami-Dade County;
6 providing a limitation on compensation and the payment
7 of certain fees; providing an effective date.

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9 WHEREAS, on December 16, 2021, Jose Correa was lawfully
10 walking across Bird Road, SW 40th Street, within the marked
11 crosswalk at the intersection of Bird Road and Le Jeune Road, SW
12 42nd Avenue, in Miami-Dade County, and

13 WHEREAS, a Miami-Dade County bus driver failed to observe
14 Mr. Correa and made a left-hand turn at the intersection,
15 causing a collision between the bus and Mr. Correa, and

16 WHEREAS, Mr. Correa has alleged, through a lawsuit filed on
17 July 21, 2022, in the Circuit Court of the Eleventh Judicial
18 Circuit, that the negligence of Miami-Dade County, through its
19 bus driver, was the proximate cause of Mr. Correa's injuries,
20 and

21 WHEREAS, Mr. Correa suffered personal injuries resulting in
22 significant pain and anguish, including a below-knee amputation,
23 and will continue to suffer pain and anguish for the remainder
24 of his life, and

25 WHEREAS, since the incident, Mr. Correa has incurred
26 considerable medical care and treatment costs related to his
27 injuries, and he will require such care and treatment for the
28 remainder of his life, and

29 WHEREAS, following the filing of the lawsuit, Mr. Correa

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30 and Miami-Dade County reached a settlement agreement in the
31 amount of \$4.3 million, and

32 WHEREAS, pursuant to that settlement agreement and the
33 limits of liability set forth in s. 768.28, Florida Statutes,
34 the settlement agreement will be partially satisfied by Miami-
35 Dade County in the amount of \$200,000, and the satisfaction of
36 the remainder is contingent upon the passage of a claim bill in
37 the amount of \$4.1 million, NOW, THEREFORE,

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

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

43 Section 2. Miami-Dade County is authorized and directed to
44 appropriate from funds not otherwise encumbered and to draw a
45 warrant in the sum of \$4.1 million payable to Jose Correa as
46 compensation for injuries and damages sustained.

47 Section 3. The amount paid by Miami-Dade County pursuant to
48 s. 768.28, Florida Statutes, and the amount awarded under this
49 act are intended to provide the sole compensation for all
50 present and future claims arising out of the factual situation
51 described in this act which resulted in injuries and damages to
52 Jose Correa. The total amount paid for attorney fees and
53 lobbying fees relating to this claim may not exceed 25 percent
54 of the total amount awarded under this act.

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