

By the Committee on Judiciary; and Senator Galvano

590-02638-18

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1 A bill to be entitled

2 An act for the relief of Ramiro Companioni, Jr., by
3 the City of Tampa; providing for an appropriation to
4 compensate Mr. Companioni for injuries sustained as a
5 result of the negligence of an employee of the City of
6 Tampa; providing a limitation on the payment of
7 compensation and fees; providing an effective date.

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

13 WHEREAS, a lawsuit was filed and in 2004 a final judgment
14 was entered in favor of Mr. Companioni in the amount of
15 \$17,928,800 against the City of Tampa, based on a jury verdict
16 in the amount of \$19,932,000, and

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

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

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

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

28 Section 2. The City of Tampa is authorized and directed to
29 appropriate from funds not otherwise encumbered and to draw a

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30 warrant in the sum of \$5 million, to fund a special needs trust
31 created for the exclusive use and benefit of Ramiro Companioni,
32 Jr., as compensation for injuries and damages sustained as
33 described in this act.

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

42 Section 4. Excluding the federal portions of any liens,
43 Medicaid or otherwise, which the claimant must pay, it is the
44 intent of the Legislature that the lien interests relating to
45 the treatment and care of Ramiro Companioni, Jr., are hereby
46 waived or extinguished.

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