

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Special Master on Claim Bills

CS/CS/SB 18 — Relief of “Survivor” and the Estate of “Victim” by the Department of Children and Families

by Appropriations Committee; Judiciary Committee and Senator Flores

This bill provides \$3,750,000 for the relief of ?Survivor? and the Estate of ?Victim? for injuries and damages sustained as a result of the negligence of the Department of Children and Families. The Department failed to prevent or detect the severe abuse and neglect perpetrated on Survivor and Victim by their foster parents, Jorge and Carmen Barahona, who later adopted the children.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 114-2

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CS/HB 6501 — Relief/J.D.S./Agency for Persons With Disabilities

by Civil Justice and Claims Subcommittee; and Reps. Plakon and Antone (CS/SB 28 by Judiciary Committee and Senator Simmons)

This bill provides for the payment of \$950,000 into a special needs trust for the relief of J.D.S. The Department of Children and Families negligently supervised the group home in which J.D.S. was placed, and J.D.S. was raped and impregnated by a staff member of the home.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 37-1; House 112-2

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CS/HB 6503 — Relief/Sean McNamee, Todd & Jody McNamee/School Board of Hillsborough County

by Civil Justice and Claims Subcommittee and Rep. Shaw (CS/SB 40 by Judiciary Committee; and Senators Galvano and Brandes)

This bill provides \$1.7 million for the relief of Sean R. McNamee for injuries and damages he sustained as a result of the negligence of employees of the School Board of Hillsborough County. Sean was injured during football practice when his head struck a paint machine that had been improperly left in the practice area.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 35-2; House 112-2

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CS/HB 6507 — Relief/Angela Sanford/Leon County

by Civil Justice and Claims Subcommittee and Rep. Beshears (CS/SB 42 by Judiciary Committee and Senator Montford)

The bill provides \$1.15 million for the relief of Angela Sanford. Ms. Sanford was the passenger in a car that was struck by a county-operated ambulance that ran a red light. As a result of the accident, Ms. Sanford is permanently disabled.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 34-2; House 112-2

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CS/CS/HB 6511 — Relief/L.T./Department of Children and Families

by Health Care Appropriations Subcommittee; Civil Justice and Claims Subcommittee and Rep. Miller, M. (CS/SB 38 by Judiciary Committee and Senator Benacquisto)

This bill provides \$800,000 for the relief of L.T. She suffered injuries and damages after the Department of Children and Families allowed her to be placed in a home with a registered sex offender.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 113-3

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CS/CS/HB 6515 — Relief/Wendy Smith and Dennis Darling, Sr./State of Florida

by Appropriations Committee; Civil Justice and Claims Subcommittee; and Reps. Jones and others (CS/SB 48 by Judiciary Committee and Senator Braynon)

This bill authorizes and directs Florida State University to pay \$1.8 million to Wendy Smith and Dennis Darling, Sr., to compensate them for the negligence of the university which led to the death of their son, Devaughn Darling. Devaughn collapsed and died while participating in preseason football training.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 34-2; House 112-4

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CS/CS/HB 6519 — Relief/Amie Draiemann O'Brien, Hailey Morgan Stephenson, and Christian Darby Stephenson II/Department of Transportation

by Transportation and Tourism Appropriations Subcommittee; Civil Justice and Claims Subcommittee and Rep. Cortes, B. (SB 12 by Senator Steube)

The bill provides \$1,116,940 for the relief of Amie Draiemann O'Brien, as the personal representative of the Estate of Christian Darby Stephenson, for the wrongful death of Christian Darby Stephenson. Mr. Stephenson died in a truck accident that was caused in part by the failure of the Department of Transportation to maintain a drain.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 33-2; House 112-3

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CS/HB 6521 — Relief/Mary Mifflin-Gee/City of Miami

by Civil Justice and Claims Subcommittee and Rep. Jenne (CS/SB 46 by Judiciary Committee and Senator Montford)

The bill authorizes and directs the City of Miami to pay \$2.3 million into a special needs trust for the relief of Mary Mifflin-Gee. The city's fire rescue personnel failed to properly secure Ms. Mifflin-Gee onto a gurney when they were loading her into an ambulance. When Ms. Mifflin-Gee fell from the gurney, she suffered a severe traumatic brain injury.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 35-1; House 111-3

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CS/CS/HB 6529 — Relief/Lillian Beauchamp/St. Lucie County School District

by Judiciary Committee; Civil Justice and Claims Subcommittee and Rep. Byrd (CS/SB 14 by Judiciary Committee and Senator Steube)

This bill provides \$1.5 million for the relief of Lillian Beauchamp, as the personal representative of the estate of Aaron Beauchamp. Aaron died as a result of a school bus accident that was caused by the negligence of an employee of the St. Lucie County School Board.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 36-1; House 111-4

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CS/HB 6533 — Relief/Jennifer Wohlgemuth/Pasco County Sheriff's Office

by Civil Justice and Claims Subcommittee and Rep. Grant, J. (CS/SB 36 by Judiciary Committee and Senator Montford)

This bill authorizes and directs the Pasco County Sheriff's Office to pay \$2.6 million into a special needs trust for the benefit of Jennifer Wohlgemuth. She was severely injured by the negligence of a Pasco County Sheriff's officer when he negligently drove a law enforcement vehicle through a red light at a high rate of speed and crashed into the side of Ms. Wohlgemuth's vehicle.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 35-2; House 112-2

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CS/HB 6539 — Relief/Eddie Weekley and Charlotte Williams/Agency for Persons with Disabilities

by Civil Justice and Claims Subcommittee and Rep. Byrd (CS/SB 50 by Judiciary Committee; and Senators Gibson and Bracy)

This bill provides for the payment of \$1 million into a special needs trust for the relief of Eddie Weekley and Charlotte Williams for the loss of their son, Franklin Weekley. Franklin, who was diagnosed with mental retardation and a seizure disorder, was admitted to the Sunland Center, which was operated by the Department of Children and Family Services. In December 2002, Franklin disappeared from the Sunland Center and was believed to have run away. Nearly 2 years later, Franklin's remains were found in the basement of a building adjacent to the Sunland Center.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 35-1; House 113-3

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CS/HB 6545 — Relief/Jerry Cunningham/Broward County

by Civil Justice and Claims Subcommittee and Rep. Raburn (SB 314 by Senator Farmer)

This bill provides \$550,000 for the relief of Jerry Cunningham for injuries he sustained due to the negligence of a bus driver employed by Broward County. The bus driver closed the doors of the bus on Jerry's arm as he attempted to board. After the bus pulled away from the bus stop, Jerry ran alongside it for a few seconds, but he eventually fell to the pavement.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 36-1; House 114-3

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CS/HB 6549 — Relief/Altavious Carter and Dustin Reinhardt/Palm Beach County School Board

by Civil Justice and Claims Subcommittee and Rep. Diaz, J. (CS/CS/SB 304 by Community Affairs Committee; Judiciary Committee and Senator Thurston)

This bill provides \$790,000 for the relief of Altavious Carter for a neck injury he sustained due to the negligence of a school bus driver employed by the Palm Beach County School District. Mr. Carter was a passenger in a vehicle that was stopped a red light when it was struck by a school bus.

The bill also provides \$4.7 million for the relief of Dustin Reinhardt due to a severe head injury he sustained while participating in an auto shop class at the Seminole Ridge Community High School in Palm Beach County. The injury occurred when a large truck tire exploded while Mr. Reinhardt was inflating it.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 31-5; House 117-2