

By Senator Siplin

19-99-05

1 A bill to be entitled
2 An act relating to Polk County; providing for
3 the relief of Donna Sofka for injuries
4 sustained due to the negligence of Polk County;
5 providing for an appropriation; providing an
6 effective date.
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8 WHEREAS, on December 28, 1988, Donna Sofka was involved
9 in a vehicular accident that left her a quadriplegic, and
10 WHEREAS, on that date, Ms. Sofka was driving her car
11 westward on East Lamp Post Lane north of Lakeland, where East
12 Post Lane meets Old Polk City Road at the crest of a small
13 hill, and
14 WHEREAS, East Lamp Post Lane had recently been extended
15 past Old Polk City Road into a relatively new road named West
16 Lamp Post Lane, but there was no stop sign or other marking
17 denoting the intersection, and
18 WHEREAS, despite Polk County's knowledge that recent
19 construction in the area had created a four-way intersection
20 and essentially a "through" street, traffic-control devices
21 had not been installed at the time of the accident, and
22 WHEREAS, suit was filed against various defendants,
23 including Polk County, and, at trial, un rebutted testimony
24 established that the creation of the four-way intersection
25 created a dangerous condition, and
26 WHEREAS, Polk County's own traffic-sign foreman
27 concurred that the intersection was dangerous, and the manual
28 used by the county clearly indicated that traffic control
29 devices were needed at the intersection, and
30 WHEREAS, the jury agreed and awarded Donna Sofka \$6.5
31 million in damages, in accordance with the degree of

1 responsibility for the accident attributed to the county,
2 which was 77 percent, and

3 WHEREAS, after years of appeals and a new trial, a
4 Stipulated Final Judgment in the amount of \$600,000 against
5 the county was entered into by the parties, NOW, THEREFORE,

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

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

11 Section 2. Polk County is authorized and directed to
12 appropriate from funds of the county not otherwise
13 appropriated and to draw a warrant in the amount of \$600,000
14 payable to Donna Sofka, as compensation for injuries and
15 damages sustained as a result of the negligence of Polk
16 County.

17 Section 3. This act shall take effect upon becoming a
18 law.

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