

By Senator Diaz de la Portilla

40-00040-16

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1 A bill to be entitled  
2 An act for the relief of Rafael Zaldivar and Kyoko  
3 Zaldivar, parents of Alex Zaldivar, deceased,  
4 individually and as co-personal representatives of the  
5 Estate of Alex Zaldivar, and Brienna Campos and  
6 Remington Campos by Orange County; providing for an  
7 appropriation to compensate Rafael Zaldivar and Kyoko  
8 Zaldivar for the death of Alex Zaldivar and to  
9 compensate Brienna Campos and Remington Campos for the  
10 injuries and damages they sustained as a result of the  
11 negligence of Orange County; providing a limitation on  
12 the payment of fees and costs; providing an effective  
13 date.

14  
15 WHEREAS, on September 10, 2012, Alex Zaldivar, deceased,  
16 Brienna Campos, and Remington Campos were attacked and shot  
17 during a home invasion robbery perpetrated by Bessman Okafor,  
18 who was being monitored by Orange County Corrections  
19 Department's Community Corrections Division, and

20 WHEREAS, the Estate of Alex Zaldivar and Brienna Campos and  
21 Remington Campos have alleged that the negligence of Orange  
22 County was the proximate cause of the death of Alex Zaldivar and  
23 the injuries sustained by Brienna Campos and Remington Campos,  
24 and

25 WHEREAS, Rafael Zaldivar and Kyoko Zaldivar, as parents of  
26 Alex Zaldivar, and Brienna Campos and Remington Campos have  
27 suffered extreme mental anguish and undergone great suffering as  
28 a result of the events of September 10, 2012, and

29 WHEREAS, Orange County and the Estate of Alex Zaldivar have

40-00040-16

201620\_\_

30 agreed to settle the Estate's claim for \$300,000; Orange County  
31 and Brienna Campos have agreed to settle her claim for \$200,000;  
32 and Orange County and Remington Campos have agreed to settle his  
33 claim for \$200,000, and

34 WHEREAS, pursuant to the settlement agreements, Orange  
35 County has paid \$100,000 to each of the claimants, leaving an  
36 unpaid balance of \$200,000 for the Estate of Alex Zaldivar and  
37 \$100,000 each for Brienna Campos and Remington Campos, and

38 WHEREAS, the respective claims of the Estate of Alex  
39 Zaldivar, Brienna Campos, and Remington Campos will be fully  
40 satisfied upon payment by Orange County to the Estate of Alex  
41 Zaldivar in the amount \$200,000, to Brienna Campos in the amount  
42 of \$100,000, and to Remington Campos in the amount of \$100,000  
43 with the passage of a claim bill to pay the remaining balances,  
44 NOW, THEREFORE,

45  
46 Be It Enacted by the Legislature of the State of Florida:

47  
48 Section 1. The facts stated in the preamble to this act are  
49 found and declared to be true.

50 Section 2. Orange County is authorized and directed to  
51 appropriate from funds of the county not otherwise appropriated  
52 and to draw a warrant in the sum of \$200,000 payable to the  
53 Estate of Alex Zaldivar, as compensation for injuries and  
54 damages sustained by Rafael Zaldivar and Kyoko Zaldivar, as  
55 parents of Alex Zaldivar, deceased; a warrant in the sum of  
56 \$100,000 payable to Brienna Campos as compensation for the  
57 injuries and damages sustained by the claimant, and a warrant in  
58 the sum of \$100,000 payable to Remington Campos as compensation

40-00040-16

201620\_\_

59 for the injuries and damages sustained by the claimant.

60 Section 3. The amount paid by Orange County pursuant to s.  
61 768.28, Florida Statutes, and the amount awarded under this act  
62 are intended to provide the sole compensation for all present  
63 and future claims arising out of the factual situation described  
64 in the preamble to this act which resulted in the death of Alex  
65 Zaldivar and the injuries to Brienna Campos and Remington  
66 Campos. The total amount paid for attorney fees, lobbying fees,  
67 costs, and similar expenses relating to this claim may not  
68 exceed 25 percent of the total amount awarded under this act.  
69 However, taxable costs, which may not include attorney fees and  
70 lobbying fees, related to the underlying civil action may be  
71 collected in addition to the aforementioned attorney fees and  
72 lobbying fees.

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