

1 A bill to be entitled
2 An act for the relief of the Estate of Eric Scott
3 Tenner by Miami-Dade County; providing for an
4 appropriation to compensate his estate for damages
5 sustained as a result of the negligence of an employee
6 of the Miami-Dade County Board of Commissioners;
7 providing a limitation on the payment of attorney
8 fees; providing an effective date.
9

10 WHEREAS, on October 8, 2014, 45-year-old Eric Scott Tenner
11 was struck by a bus owned and operated by the Miami-Dade County
12 Board of Commissioners at approximately 7 a.m. near the
13 intersection of SW 124th Street and the U.S. 1 Busway in Miami-
14 Dade County, and

15 WHEREAS, the bus driver who struck Mr. Tenner was
16 subsequently arrested and charged with the criminal offense of
17 leaving the scene of a crash involving serious bodily injury, a
18 felony in the second degree under s. 316.027(2)(b), Florida
19 Statutes, though the charge was later dropped by the Office of
20 the State Attorney of the 11th Judicial Circuit, and

21 WHEREAS, Mr. Tenner was transported to Kendall Regional
22 Medical Center, where he succumbed to his injuries and
23 ultimately died on October 11, 2014, and

24 WHEREAS, Mr. Tenner, through his wife, donated all viable
25 tissues and organs so that others may live, and

26 WHEREAS, the total present value of Mr. Tenner's economic
 27 damages from this incident is calculated to be \$3,563,249.93,
 28 which consists of his future and past lost earning capacity of
 29 \$3,531,212 and past medical expenses of \$32,037.93, and

30 WHEREAS, Mr. Tenner is survived by his wife and two minor
 31 sons, all of whom are being treated by therapists and health
 32 professionals to cope with the loss of their husband and father,
 33 who provided for and had a demonstrably close relationship with
 34 his family, and

35 WHEREAS, the Miami-Dade County Board of Commissioners and
 36 the Estate of Eric Scott Tenner reached a settlement agreement
 37 by mediation in the amount of \$1.75 million, of which \$300,000
 38 will be paid to the Estate of Eric Scott Tenner pursuant to the
 39 limits of liability set forth in s. 768.28, Florida Statutes,
 40 and the remainder is conditioned upon the passage of a claim
 41 bill, which is agreed to by the Miami-Dade County Board of
 42 Commissioners, in the amount of \$1.45 million, NOW, THEREFORE,

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

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

48 Section 2. The Miami-Dade County Board of Commissioners is
 49 authorized and directed to appropriate from funds of the county
 50 not otherwise appropriated and to draw a warrant in the sum of

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51 \$1.45 million, payable to Maria Tenner, as personal
52 representative of the Estate of Eric Scott Tenner, as
53 compensation for injuries and damages sustained.

54 Section 3. The amount paid by the Miami-Dade County Board
55 of Commissioners pursuant to s. 768.28, Florida Statutes, and
56 the amount awarded under this act are intended to provide the
57 sole compensation for all present and future claims arising out
58 of the factual situation described in this act which resulted in
59 the death of Eric Scott Tenner. The total amount paid for
60 attorney fees relating to this claim may not exceed 25 percent
61 of the amount awarded under this act.

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