

By Senator Massullo

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1 A bill to be entitled
2 An act for the relief of Sean Hurley by the Orange
3 County Sheriff's Office; providing for an
4 appropriation to compensate Mr. Hurley for injuries
5 sustained as a result of the negligence of the Orange
6 County Sheriff's Office; providing a limitation on the
7 payment of compensation and attorney fees; providing
8 an effective date.

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10 WHEREAS, at approximately 6:00 p.m. on November 15, 2019,
11 Sean Hurley, a 26-year-old resident of Seminole County, Florida,
12 was driving his 2018 Yamaha MT-07 motorcycle traveling westbound
13 on Red Bug Lake Road at or near the intersection of Hollow Pine
14 Drive, in Oviedo, Seminole County, Florida, and

15 WHEREAS, Red Bug Lake Road is a street with three lanes in
16 each direction, and

17 WHEREAS, Orange County Deputy Sheriff Nicholas Orrizzi was
18 leaving his home to work a night shift and driving a marked 2019
19 Ford Explorer belonging to the Orange County Sheriff's Office
20 when he pulled out onto Red Bug Lake Road into the path of Mr.
21 Hurley's motorcycle, striking Mr. Hurley in the lower extremity
22 and throwing him into the grassy median, and

23 WHEREAS, the collision was recorded on Deputy Orrizzi's
24 dashcam, showing that it was necessary for Mr. Hurley to speed
25 up just before the impact to try to avoid a collision, and

26 WHEREAS, the investigating Florida Highway Patrol officer
27 who arrived at the scene determined that Deputy Orrizzi violated
28 Mr. Hurley's right-of-way when Deputy Orrizzi pulled out into
29 the path of Mr. Hurley's motorcycle, and

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30 WHEREAS, as a result of the collision, Mr. Hurley was
31 rushed to the hospital by first responders and suffered
32 significant catastrophic compound injuries to his lower
33 extremities which required eight extensive surgeries, and

34 WHEREAS, Mr. Hurley sustained hip, leg, and foot injuries,
35 including broken legs, dislocated knees, a pelvic fracture, and
36 toe fractures, requiring a mechanical knee joint replacement in
37 his right knee, hardware installed for his pelvic fracture, the
38 fusing of his shattered ankle, and reconstruction of his left
39 knee due to the loss of two ligaments, his ACL and MCL, and

40 WHEREAS, because one of Mr. Hurley's legs is now shorter
41 than the other, he requires specialized footwear to walk, and
42 his long-term prognosis is intensive medical treatment and
43 monitoring for the rest of his life, and

44 WHEREAS, in June 2023, a jury in Orange County found that
45 Deputy Orrizzi was 100 percent negligent in causing the
46 collision and awarded \$20,839,757 in damages against the Orange
47 County Sheriff's Office, which award was reduced post-trial
48 pursuant to s. 768.76(1), Florida Statutes, due to collateral
49 sources paid toward Mr. Hurley's past medical expenses for
50 injuries Mr. Hurley sustained as a result of Deputy Orrizzi's
51 negligence, including \$8 million for past noneconomic damages
52 and \$10 million for future noneconomic damages for his pain and
53 suffering, and

54 WHEREAS, the jury found that Mr. Hurley incurred
55 \$1,714,757.61 in medical expenses relating to the surgeries and
56 treatments for his lower body injuries, and will incur \$1.125
57 million in future medical expenses over the next 47 years of his
58 expected life, NOW, THEREFORE,

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

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

64 Section 2. The Orange County Sheriff's Office is authorized
65 and directed to appropriate from funds of the county not
66 otherwise appropriated or encumbered and to draw a warrant in
67 the sum of \$20,721,629.23 plus interest payable to Sean Hurley
68 as compensation for injuries and damages sustained due to the
69 negligence of the Orange County Sheriff's Office.

70 Section 3. The amount paid by the Orange County Sheriff's
71 Office pursuant to s. 768.28, Florida Statutes, and the amount
72 awarded under this act are intended to provide the sole
73 compensation for all present and future claims arising out of
74 the factual situation described in this act which resulted in
75 injuries and damages to Sean Hurley. The total amount paid for
76 attorney fees relating to this claim may not exceed 25 percent
77 of the total amount awarded under this act.

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