

By Senator Gruters

22-00047-26

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A bill to be entitled
An act for the relief of Lourdes Latour and Edward
Latour by Miami-Dade County; providing an
appropriation to compensate Mr. and Mrs. Latour for
injuries sustained as a result of the negligence of
Miami-Dade County; providing a limitation on
compensation and the payment of attorney fees;
providing an effective date.

WHEREAS, on November 5, 2017, Lourdes Latour sustained
serious injuries when she was struck by a malfunctioning
automatic gate arm while exiting the Gables by the Sea community
on her bicycle in Miami-Dade County, and

WHEREAS, the automatic gate arm at the community exit
malfunctioned, striking Lourdes Latour and throwing her from her
bicycle, causing her to sustain permanent injuries, and

WHEREAS, Lourdes Latour and Edward Latour have alleged,
through a lawsuit filed on November 21, 2018, that the
negligence of Miami-Dade County in the ownership, operation,
maintenance, and control of the subject exit gate was the
proximate cause of the injuries sustained by Mrs. Latour, and

WHEREAS, the lawsuit proceeded to trial, and on January 16,
2025, a jury returned a verdict in favor of Mr. and Mrs. Latour,
finding Miami-Dade County 100 percent liable for the incident,
and

WHEREAS, the jury awarded Mrs. Latour \$4.75 million for her
injuries and Mr. Latour \$165,000 for his loss of consortium, and

WHEREAS, Mrs. Latour has suffered significant pain and
suffering, disability, physical impairment, disfigurement,

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30 mental anguish, inconvenience, and loss of capacity for
31 enjoyment of life, and

32 WHEREAS, Mr. Latour has suffered loss of his wife's
33 comfort, society, attention, and services, and

34 WHEREAS, following the verdict and entry of final judgment,
35 Mr. and Mrs. Latour and Miami-Dade County reached a settlement
36 in the amount of \$800,000, and

37 WHEREAS, pursuant to the settlement agreement between the
38 parties, the plaintiffs' claim will be partially satisfied by
39 Miami-Dade County paying the amount of \$300,000 to Mr. and Mrs.
40 Latour, and

41 WHEREAS, pursuant to the settlement, Miami-Dade County
42 supports and agrees that Mr. and Mrs. Latour should receive as
43 compensation the remaining \$500,000 of the settlement amount,
44 and their claim shall be considered fully satisfied by Miami-
45 Dade County paying this \$500,000 to Mr. and Mrs. Latour, as
46 authorized by the Florida Legislature through a claim bill, NOW,
47 THEREFORE,

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

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

53 Section 2. Miami-Dade County is authorized and directed to
54 appropriate from funds not otherwise encumbered and to draw a
55 warrant in the sum of \$500,000 payable to Lourdes Latour and
56 Edward Latour as compensation for injuries and damages
57 sustained.

58 Section 3. The amount paid by Miami-Dade County pursuant to

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s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries and damages to Lourdes Latour and Edward Latour. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the total amount awarded under this act.

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