

1 A bill to be entitled

2 An act for the relief of Dustin Reinhardt by the Palm
3 Beach County School Board; providing for an
4 appropriation and annuity to compensate him for
5 injuries sustained as a result of the negligence of
6 employees of the Palm Beach County School District;
7 providing that certain payments and the amount awarded
8 under the act satisfy all present and future claims
9 related to the negligent act; providing a limitation
10 on the payment of compensation, fees, and costs;
11 providing an effective date.

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13 WHEREAS, in September 2013, Dustin Reinhardt was a student
14 at Seminole Ridge Community High School in Loxahatchee in Palm
15 Beach County, and was involved in the Army Junior Reserve
16 Officer Training Corps for which he received honors for his
17 participation, and

18 WHEREAS, on September 4, 2013, while in auto shop class at
19 Seminole Ridge Community High School, Dustin Reinhardt was
20 inflating a large truck tire, which proceeded to explode,
21 striking him in his head, and

22 WHEREAS, immediately following the explosion, Dustin
23 Reinhardt was airlifted to St. Mary's Medical Center in West
24 Palm Beach where he underwent multiple surgeries, including
25 skull and facial reconstruction procedures, was placed in a

26 | chemically induced coma, and spent more than 4 weeks in the
27 | intensive care unit, and

28 | WHEREAS, Dustin Reinhardt has continued to be impacted by
29 | the injuries he incurred from the explosion, including the loss
30 | of vision in his right eye, short-term memory loss, and a recent
31 | diagnosis of severe traumatic brain injury, and

32 | WHEREAS, the traumatic brain injury will impair Dustin
33 | Reinhardt's executive function and has resulted in symptoms such
34 | as the exhibition of socially inappropriate behavior, difficulty
35 | in planning and taking initiative, difficulty with verbal
36 | fluency, an inability to multitask, and difficulty in
37 | processing, storing, and retrieving information, and

38 | WHEREAS, because of the explosion, Dustin Reinhardt
39 | continues to live in supervised care at the Neuro International
40 | and is unlikely to ever live an independent life, and

41 | WHEREAS, the injuries that Dustin Reinhardt sustained were
42 | foreseeable and preventable and the school had a duty to prevent
43 | his injuries, and

44 | WHEREAS, the parties have agreed to a settlement in the sum
45 | of \$5 million, and the Palm Beach County School Board has paid
46 | \$300,000 of the settlement pursuant to the statutory limits of
47 | liability set forth in s. 768.28, Florida Statutes, leaving a
48 | remaining balance of \$4.7 million, NOW, THEREFORE,

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50 | Be It Enacted by the Legislature of the State of Florida:

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

54 Section 2. The Palm Beach County School Board is
55 authorized and directed to:

56 (1) Appropriate from funds of the school board not
57 otherwise encumbered and, no later than 30 days after the
58 effective date of this act, draw a warrant in the sum of \$1.7
59 million payable to Dustin Reinhardt, to be placed in the Special
60 Needs Trust created for the exclusive use and benefit of Dustin
61 Reinhardt, as compensation for injuries and damages sustained.

62 (2) Purchase an annuity for the sum of \$3 million for
63 Dustin Reinhardt's benefit. The annuity must provide annual
64 disbursements to Dustin Reinhardt, to be placed in the Special
65 Needs Trust created for the exclusive use and benefit of Dustin
66 Reinhardt, for 3 years, with the first disbursement occurring on
67 or before September 1, 2023, and the following disbursements
68 occurring the following 2 years thereafter. Each annual
69 disbursement must be at least \$1 million.

70 Section 3. The amount paid by the Palm Beach County School
71 Board 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 Dustin Reinhardt. Of the amount awarded

76 | under this act, the total amount paid for attorney fees may not
77 | exceed \$940,000, the total amount paid for lobbying fees may not
78 | exceed \$235,000, and no amount may be paid for costs and other
79 | similar expenses relating to this claim. Attorney or lobbyist
80 | fees may not be assessed against the value of the annuity.

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