

House Bill No. 1557

An act relating to the City of Tallahassee; providing for the relief of Jason Crosby and Donna Crosby, mother of Jason Crosby; providing for an appropriation to compensate them for injuries and damages sustained as a result of an automobile accident involving Jason Crosby, a minor, and police officers employed by the City of Tallahassee; providing an effective date.

WHEREAS, on January 16, 1996, 20-year-old Jason Crosby was lawfully driving his vehicle in the southbound lane on Capital Circle in the City of Tallahassee and was crossing Mahan Drive when a vehicle driven by David Sykes hit Jason Crosby's vehicle, causing permanent injuries to Jason Crosby, and

WHEREAS, it is alleged that David Sykes's vehicle was at the time of the accident being negligently pursued by employees of the Tallahassee Police Department, and

WHEREAS, the accident of January 16, 1996, formed the basis of legal action against the City of Tallahassee in 1997, and

WHEREAS, the court denied motions for summary judgment which were filed by the City of Tallahassee and the Crosbys and set the matter for a 2-week trial period beginning April 5, 1999, and

WHEREAS, just prior to trial, the City of Tallahassee, Jason Crosby, and Donna Crosby reached an agreement whereby the city agreed to pay to Donna Crosby \$100,000, pursuant to the statutory limits on waiver of sovereign immunity, for costs and attorney's fees and to provide a structured annuity for Jason Crosby with monthly lifetime and income supplement and 3-percent cost-of-living adjustments guaranteed for 25 years at a cost to the city not to exceed \$300,000 present value, and

WHEREAS, the City of Tallahassee has paid into a separate interest-bearing fund \$200,000 for the purpose of applying those funds to the total settlement amount contingent upon the passage of this act, and

WHEREAS, the City of Tallahassee, Jason Crosby, and Donna Crosby have consented to the filing of this act and have agreed that, if this act becomes law, the City of Tallahassee, within 30 days after the effective date of the act, will fund the annuity, NOW, THEREFORE,

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

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

Section 2. The City of Tallahassee is authorized and directed to appropriate from funds of the city not otherwise appropriated and to draw a warrant in the sum of \$200,000 payable to Jason Crosby to be applied toward the

funding of an annuity for the benefit of Jason Crosby. This amount will be in addition to the funds already set aside and agreed to by the City of Tallahassee, Jason Crosby, and Donna Crosby.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.