

Committee Substitute for Senate Bill No. 2968

An act relating to the Department of Juvenile Justice; providing an appropriation to compensate Gina Jones and Robert Anderson, parents and natural guardians of Martin Lee Anderson, jointly, for the wrongful death of Martin Lee Anderson, which was due to the negligence of the Bay County Sheriff's Office; providing conditions for payment; providing for attorney's fees and lobbying fees; providing an effective date.

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

Section 1. There is appropriated from the General Revenue Fund the sum of \$4.8 million to the Department of Financial Services under the conditions provided in this act.

Section 2. The Chief Financial Officer is directed to draw a warrant in the sum of \$4.8 million for the purposes provided in this act. The Chief Financial Officer is directed and authorized to pay the same out of such funds in the State Treasury and to execute a qualified assignment within the meaning of s. 130(c) of the Internal Revenue Code, with an assignee acceptable to the estate of Martin Lee Anderson, providing periodic payments to Gina Jones and Robert Anderson as compensation for the personal injuries and death of the decedent. The Department of Financial Services is authorized to execute all necessary agreements to implement this act.

Section 3. The Chief Financial Officer shall execute the qualified assignment agreement as required by this act upon execution by the estate of Martin Lee Anderson and delivery to the Department of Financial Services, with copies to the President of the Senate and the Speaker of the House of Representatives, of a release and waiver on behalf of the estate of Martin Lee Anderson and his parents, heirs, successors, and assigns forever releasing the State of Florida and any instrumentality, officer, employee, or political subdivision thereof, or any other entity subject to the provisions of s. 768.28, Florida Statutes, from any and all present or future claims or declaratory relief the estate of Martin Lee Anderson or any of his parents, heirs, successors, or assigns may have against such enumerated entities and arising out of the factual situation in connection or associated with the death of Martin Lee Anderson.

Section 4. The Legislature shall not be deemed by this act to have waived any defense of sovereign immunity or to have increased the limits of liability on behalf of the state or any person or entity subject to s. 768.28, Florida Statutes, or any other law.

Section 5. This award is intended to provide the sole compensation for any and all present and future claims arising out of the factual situation in connection or associated with the death of Martin Lee Anderson. Not more than \$630,000 may be paid by the estate of Martin Lee Anderson, Gina Jones, or Robert Anderson for attorney's fees, lobbying fees, costs, or other similar expenses.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor May 23, 2007.

Filed in Office Secretary of State May 23, 2007.