

CHAPTER 2024-299

Committee Substitute for House Bill No. 6007

An act for the relief of Julia Perez by the St. Johns County Sheriff's Office; providing for an appropriation to compensate Julia Perez for personal injuries and damages sustained as a result of the negligence of an employee of the St. Johns County Sheriff's Office; providing legislative intent for the waiver of certain lien interests; providing a limitation on compensation and the payment of attorney fees; providing an effective date.

WHEREAS, at 5:09 p.m. on April 7, 2019, Julia Perez was wearing a helmet and lawfully operating a motorcycle within the posted speed limit, traveling east on State Road 16 in the correct travel lane in unincorporated St. Johns County, and

WHEREAS, at the same time, an employee of the St. Johns County Sheriff's Office (SJSO), acting in the course and scope of his employment, was operating a marked SJSO patrol vehicle, and traveling west on State Road 16, and

WHEREAS, the SJSO employee negligently entered the intersection of State Road 16 and Harvest Lane and attempted a left turn directly in front of the motorcycle operated by Ms. Perez, and

WHEREAS, Ms. Perez's motorcycle struck the right side of the SJSO vehicle, causing her to eject from her motorcycle and impact the hood of the patrol car before she came to rest on the pavement of State Road 16, and

WHEREAS, the Florida Highway Patrol's traffic crash investigators conducted an extensive crash investigation of the accident, including preparation for a traffic homicide reconstruction due to Ms. Perez's grave condition, and

WHEREAS, witnesses on the scene told investigators that, at the time of the crash, eastbound traffic had a steady green signal, giving Ms. Perez the right of way, and

WHEREAS, the investigation determined that the actions of Ms. Perez were reasonable and did not contribute to or cause the collision, and

WHEREAS, the Florida Highway Patrol investigation found the SJSO employee to be solely at fault for causing the accident and issued him a traffic citation for failure to yield to oncoming traffic in violation of s. 316.122, Florida Statutes, to which he pled no contest, and

WHEREAS, the St. Johns County Sheriff's Office has admitted its employee was negligent in causing the collision and liable for Ms. Perez's injuries, and

WHEREAS, Ms. Perez suffered catastrophic injuries, was intubated and resuscitated at the crash site by local emergency medical services, and was rushed to the Trauma Center at Memorial Hospital Jacksonville, where she arrived comatose and had to undergo a series of blood transfusions, and

WHEREAS, Ms. Perez suffered multiple open and comminuted fractures of the pelvis, arms, and legs, as well as organ lacerations and punctures, including a punctured left lung, resulting in cardiopulmonary arrest due to blood loss, and numerous complications, including a pulmonary embolism, deep vein thrombosis, and episodes of pneumonia; suffered at least one myocardial infarction; and endured multiple systemic infections, bowel obstructions, a fractured arm, and a nicked artery, and

WHEREAS, Ms. Perez remained hospitalized and was in a nursing home for almost eight months following the crash, and

WHEREAS, because of blood loss and infection, Ms. Perez suffered renal tubular necrosis and a kidney injury, which necessitated her to receive kidney dialysis for many months and made it possible that she will need further kidney treatment in the future, and

WHEREAS, Ms. Perez suffers from substantial pain when trying to accomplish simple tasks of daily living and experiences interrupted sleep on a nightly basis, chronic migraine headaches, and severe elevated blood pressure, and

WHEREAS, Ms. Perez suffers from memory loss, confusion, communication difficulties, fatigue, frustration, and depression, and she is under the treatment of a neurologist, and

WHEREAS, Ms. Perez has undergone dozens of surgeries and faces many more, and

WHEREAS, Ms. Perez's past medical bills attributable to the crash and related liens amount to more than \$3,863,108.09, and

WHEREAS, the costs of Ms. Perez's future medical care and related expenses are estimated to be as much as \$4,077,923.57 over the course of Ms. Perez's life, and

WHEREAS, Ms. Perez has been declared to be totally and permanently disabled by her physicians, and her loss of earning capacity is estimated to be \$282,110, based on her full Social Security retirement age of 67 and a minimum-wage earning capacity, and

WHEREAS, a lawsuit was filed on behalf of Ms. Perez and was set for trial in the Circuit Court of the Seventh Judicial Circuit, in and for St. Johns County, Florida, styled *Julia Perez vs. Robert A. Hardwick, in his capacity as Sheriff of St. Johns County*, Case No.: 2020-CA-387; however, the parties agreed to a settlement amount of \$6.5 million before trial, and

WHEREAS, Ms. Perez has been paid the statutory limit of \$200,000 by the St. Johns County Sheriff's Office's self-insuring risk pool, leaving a balance of \$6.3 million which the St. Johns County Sheriff's Office is willing to pay upon being authorized to do so by the enactment of a claim bill pursuant to s. 768.28, Florida Statutes, and

WHEREAS, the parties agree to support a claim bill that authorizes and directs the St. Johns County Sheriff's Office to appropriate from funds of the county and pay Julia Perez \$6.3 million, and

WHEREAS, Ms. Perez seeks the total sum of \$6.3 million in relief from the Legislature for satisfaction of her injuries and damages, 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 St. Johns County Sheriff's Office is authorized and directed to appropriate from funds of the county not otherwise encumbered and pay Julia Perez \$6.3 million, to compensate her for the injuries and damages she sustained due to the negligence of an employee of the St. Johns County Sheriff's Office.

Section 3. It is the intent of the Legislature that all lien interests held by the state, if any, resulting from the treatment and care of Julia Perez for the occurrences described in this act are waived. It is the intent of the Legislature that all Medicaid liens arising from the treatment and care of the injuries and damages to Julia Perez described in this act shall be waived.

Section 4. The amount awarded under this act is 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 Julia Perez. 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 5. This act shall take effect upon becoming a law.

Approved by the Governor June 21, 2024.

Filed in Office Secretary of State June 21, 2024.