

1 Section 1. The Division of Administrative Hearings is
2 directed to appoint an administrative law judge to conduct a
3 hearing and determine whether a basis for equitable relief
4 exists for the purpose of compensating claimants Freddie Lee
5 Pitts and Wilbert Lee for any wrongful act or omission of the
6 State of Florida, or officials thereof, which affected the
7 fundamental fairness of the criminal proceedings against the
8 claimants and resulted in their convictions. In conducting the
9 hearing, the administrative law judge shall review the trial
10 and appellate record of the criminal cases against the
11 claimants, the record of the legislative proceedings, and the
12 Cabinet pardon proceedings and shall report on the fundamental
13 fairness thereof. The Department of Legal Affairs is directed
14 to provide representation for the State of Florida.

15 Section 2. If the administrative law judge determines
16 that a basis for equitable relief exists, the administrative
17 law judge is authorized to award claimants Freddie Lee Pitts
18 and Wilbert Lee the amount of \$350,000 each. The determination
19 of the administrative law judge shall be reported to the
20 President of the Florida Senate and the Speaker of the Florida
21 House of Representatives no later than November 1, 1998. The
22 Comptroller is authorized to draw a warrant in satisfaction of
23 the relief awarded by the administrative law judge as provided
24 in this act, and the State Treasurer is directed to pay the
25 same out of funds appropriated in section 3 of this act.

26 Section 3. The amount of \$875,000 is hereby
27 appropriated from the General Revenue Fund in the State
28 Treasury to fund any amounts awarded to Freddie Lee Pitts and
29 Wilbert Lee pursuant to this act, including amounts awarded
30 pursuant to section 4 of this act.

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1 Section 4. In addition to any funds awarded to
2 claimants, if the claimants are determined to be prevailing
3 parties, the administrative law judge is authorized to award
4 costs and a reasonable attorney's fee to the claimants in an
5 amount not to exceed 25 percent of the compensation awarded.

6 Section 5. This act shall take effect upon becoming a
7 law.

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