

By the Committee on Claims and Representatives Morroni and Rayson

1 A bill to be entitled
2 An act relating to the City of Tallahassee;
3 providing for the relief of Jason Crosby and
4 Donna Crosby, mother of Jason Crosby; providing
5 for an appropriation to compensate them for
6 injuries and damages sustained as a result of
7 an automobile accident involving Jason Crosby,
8 a minor, and police officers employed by the
9 City of Tallahassee; providing an effective
10 date.
11
12 WHEREAS, on January 16, 1996, 20-year-old Jason Crosby
13 was lawfully driving his vehicle in the southbound lane on
14 Capital Circle in the City of Tallahassee and was crossing
15 Mahan Drive when a vehicle driven by David Sykes hit Jason
16 Crosby's vehicle, causing permanent injuries to Jason Crosby,
17 and
18 WHEREAS, it is alleged that David Sykes's vehicle was
19 at the time of the accident being negligently pursued by
20 employees of the Tallahassee Police Department, and
21 WHEREAS, the accident of January 16, 1996, formed the
22 basis of legal action against the City of Tallahassee in 1997,
23 and
24 WHEREAS, the court denied motions for summary judgment
25 which were filed by the City of Tallahassee and the Crosbys
26 and set the matter for a 2-week trial period beginning April
27 5, 1999, and
28 WHEREAS, just prior to trial, the City of Tallahassee,
29 Jason Crosby, and Donna Crosby reached an agreement whereby
30 the city agreed to pay to Donna Crosby \$100,000, pursuant to
31 the statutory limits on waiver of sovereign immunity, for

1 costs and attorney's fees and to provide a structured annuity
2 for Jason Crosby with monthly lifetime and income supplement
3 and 3-percent cost-of-living adjustments guaranteed for 25
4 years at a cost to the city not to exceed \$300,000 present
5 value, and

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

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

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

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

20 Section 2. The City of Tallahassee is authorized and
21 directed to appropriate from funds of the city not otherwise
22 appropriated and to draw a warrant in the sum of \$200,000
23 payable to Jason Crosby to be applied toward the funding of an
24 annuity for the benefit of Jason Crosby. This amount will be
25 in addition to the funds already set aside and agreed to by
26 the City of Tallahassee, Jason Crosby, and Donna Crosby.

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

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