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An act for the relief of Billie Jo McIntire;
providing an appropriation to compensate Billie
Jo McIntire, as surviving spouse and Personal
Representative of the Estate of Jeffrey Scott
McIntire, deceased, and Sarah Ellen Megan
McIntire and Christian Jeffrey Taylor McIntire,
surviving minor children of Jeffrey Scott
McIntire, deceased, for the wrongful death of
their husband and father, Jeffrey Scott
McIntire, as a result of the negligence of the
Florida Department of Transportation; providing
an effective date.

WHEREAS, on July 17, 1997, Jeffrey McIntire, a
Crestview police officer, husband of Billie Jo McIntire, and
father of Sarah McIntire, a minor 18 months of age at the
time, was traveling home to his family on State Road 10
(Highway 90) in Okaloosa County, Florida, and

WHEREAS, on July 17, 1997, Jeffrey McIntire and his
wife, Billie Jo McIntire, were awaiting the birth of their son
Christian McIntire, and

WHEREAS, on July 17, 1997, an employee of the Florida
Department of Transportation, while operating a departmental
vehicle and in performance of his duties with the Department
of Transportation, was traveling on State Road 10 (Highway 90)
at Mosseyhead, in Okaloosa County, Florida, and

WHEREAS, it had rained recently and the roadway was
wet, which caused the department's employee to negligently
lose control of his vehicle and cross the center line into the
path of Jeffrey McIntire's vehicle, and

1 WHEREAS, a severe crash ensued, and Mr. McIntire died
2 at the scene, and

3 WHEREAS, the Department of Transportation is
4 responsible for the negligent conduct of its employee, and

5 WHEREAS, litigation was filed in Okaloosa County for
6 the wrongful death of Jeffrey McIntire, and claims were
7 asserted on behalf of Billie Jo McIntire, Sarah McIntire, and
8 Christian McIntire, and

9 WHEREAS, before trial, the parties agreed to a
10 stipulated settlement of \$1,200,000, of which \$200,000 has
11 been paid, and the \$1 million balance is to be pursued through
12 the filing of a claim bill, and

13 WHEREAS, the terms of the settlement agreement
14 stipulate that any sums recovered through the passage of a
15 claim bill shall be apportioned equally between Billie Jo
16 McIntire, as surviving spouse and Personal Representative of
17 the Estate of Jeffrey Scott McIntire, deceased, Sarah Ellen
18 Megan McIntire, surviving minor child of Jeffrey Scott
19 McIntire, deceased, and Christian Jeffrey Taylor McIntire,
20 surviving minor child of Jeffrey Scott McIntire, deceased,
21 with each person receiving one-third of the resulting balance
22 after payment of fees, costs, and expenses, and

23 WHEREAS, the Department of Transportation affirmatively
24 supports a claim bill in the amount of \$1 million, NOW,
25 THEREFORE,

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

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

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1 Section 2. The Executive Office of the Governor is
2 directed to establish spending authority from unappropriated
3 trust fund balances in the Department of Transportation in the
4 amount of \$1 million to a new category titled "Relief: Billie
5 Jo McIntire" as relief for injuries and damages sustained.
6 After payment of statutory attorney's fees, costs, and
7 authorized expenses, the proceeds recovered through the
8 passage of this act shall be apportioned equally between
9 Billie Jo McIntire, surviving spouse of Jeffrey Scott
10 McIntire, deceased, Sarah Ellen Megan McIntire, surviving
11 minor child of Jeffrey Scott McIntire, deceased, and Christian
12 Jeffrey Taylor McIntire, surviving minor child of Jeffrey
13 Scott McIntire, deceased, pursuant to the terms of the
14 stipulated settlement agreement.

15 Section 3. The Comptroller is directed to draw his
16 warrant in favor of Billie Jo McIntire, as surviving spouse
17 and Personal Representative of the Estate of Jeffrey Scott
18 McIntire, deceased, and as surviving parent and legal guardian
19 of Sarah Ellen Megan McIntire, surviving minor child of
20 Jeffrey Scott McIntire, deceased, and of Christian Jeffrey
21 Taylor McIntire, surviving minor child of Jeffrey Scott
22 McIntire, deceased, in the sum of \$1 million upon funds of the
23 Department of Transportation in the State Treasury, and the
24 State Treasurer is directed to pay the same out of such funds
25 in the State Treasury.

26 Section 4. This act shall take effect upon becoming a
27 law.

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