

hbd-27

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Cantens offered the following:

Substitute Amendment for Amendment (250347) (with title amendment)

On page 5, lines 5 through 19,
remove: all of said lines

and insert:

Section 2. There is appropriated from the Administrative Trust Fund of the Department of Children and Family Services or any successor thereto, or in the event sufficient funds are not available from that fund to make payment for any given year, or otherwise, from the General Revenue Fund, the sum of \$760,000 each fiscal year for fiscal years 2002-2003 through 2011-2012, inclusive, to be paid to an insurance company or other financial institution admitted and authorized to issue annuity contracts in this state, selected by the guardian of Kimberly Godwin, to finance and purchase a structured settlement for the benefit of Kimberly Godwin, which shall include an annuity that must be used for the habilitative care of Kimberly Godwin over the duration of her

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1 lifetime, as relief for the violations of her rights and for
2 injuries and damages she sustained as a result of the wrongful
3 conduct of the Department of Children and Family Services.

4 Section 3. The Comptroller is directed to execute all
5 necessary agreements to implement the payment of this claim
6 and to draw a warrant in the amount of \$760,000 each fiscal
7 year beginning in fiscal year 2002-2003 and continuing through
8 fiscal year 2011-2012, inclusive, in favor of the financier of
9 the structured settlement to be paid from the Administrative
10 Trust Fund of the Department of Children and Family Services
11 or any successor thereto, or in the event sufficient funds are
12 not available from that fund to make payment for any given
13 fiscal year, or otherwise, from the General Revenue Fund. The
14 financing of this structured settlement shall constitute a
15 state debt or obligation as defined in s. 216.0442(1)(j),
16 Florida Statutes, as in effect on the effective date of this
17 act.

18 Section 4. The Department of Children and Family
19 Services shall include in its annual legislative budget
20 request a specific appropriation for funds sufficient to make
21 the payment due under this act during each relevant fiscal
22 year beginning in fiscal year 2003-2004 and continuing through
23 fiscal year 2011-2012, inclusive.

24 Section 5. The appropriation made and authorized by
25 this act shall be deemed a continuing appropriation within the
26 meaning of s. 216.011(1)(i), Florida Statutes, as in effect on
27 the effective date of this act.

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

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 6, after the semicolon, of the
4 amendment

5
6 insert:

7 specifying use of funds; directing the
8 Department of Children and Family Services to
9 include a specific appropriation for such funds
10 in its annual legislative budget request;

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