

By Representative Brown

1 A bill to be entitled
2 An act for the relief of Billie Jo McIntire;
3 providing an appropriation to compensate Billie
4 Jo McIntire, as surviving spouse and Personal
5 Representative of the Estate of Jeffrey Scott
6 McIntire, deceased, and Sarah Ellen Megan
7 McIntire and Christian Jeffrey Taylor McIntire,
8 surviving minor children of Jeffrey Scott
9 McIntire, deceased, for the wrongful death of
10 their husband and father, Jeffrey Scott
11 McIntire, as a result of the negligence of the
12 Florida Department of Transportation; providing
13 an effective date.

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

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

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

28 WHEREAS, it had rained recently and the roadway was
29 wet, which caused the department's employee to negligently
30 lose control of his vehicle and cross the center line into the
31 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, \$200,000 of which has
11 been paid and the \$1,000,000 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 \$1,000,000, 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 sum of \$1,000,000 is appropriated from
2 the General Revenue Fund to the Department of Transportation
3 for the relief of Billie Jo McIntire, as surviving spouse and
4 Personal Representative of the Estate of Jeffrey Scott
5 McIntire, deceased, and as surviving parent and legal guardian
6 of Sarah Ellen Megan McIntire, surviving minor child of
7 Jeffrey Scott McIntire, deceased, and Christian Jeffrey Taylor
8 McIntire, surviving minor child of Jeffrey Scott McIntire,
9 deceased, as relief for the wrongful death of Jeffrey Scott
10 McIntire. After payment of statutory fees, costs, and
11 authorized expenses, the proceeds recovered through the
12 passage of this act shall be apportioned equally between
13 Billie Jo McIntire, surviving spouse of Jeffrey Scott
14 McIntire, deceased, Sarah Ellen Megan McIntire, surviving
15 minor child of Jeffrey Scott McIntire, deceased, and Christian
16 Jeffrey Taylor McIntire, surviving minor child of Jeffrey
17 Scott McIntire, deceased, pursuant to the terms of the
18 stipulated settlement agreement.

19 Section 3. The Comptroller is directed to draw a
20 warrant in favor of Billie Jo McIntire, as surviving spouse
21 and Personal Representative of the Estate of Jeffrey Scott
22 McIntire, deceased, and as surviving parent and legal guardian
23 of Sarah Ellen Megan McIntire, surviving minor child of
24 Jeffrey Scott McIntire, deceased, and of Christian Jeffrey
25 Taylor McIntire, surviving minor child of Jeffrey Scott
26 McIntire, deceased, in the sum of \$1,000,000 upon funds in the
27 State Treasury to the credit of the Department of
28 Transportation and the State Treasurer is directed to pay the
29 same out of such funds in the State Treasury not otherwise
30 appropriated.

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1 Section 4. This act shall take effect upon becoming a
2 law.

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5 LEGISLATIVE SUMMARY

6 Provides a \$1,000,000 appropriation for the relief of
7 Billie Jo McIntire, as surviving spouse and Personal
8 Representative of the Estate of Jeffrey Scott McIntire,
9 deceased, and Sarah Ellen Megan McIntire and Christian
10 Jeffrey Taylor McIntire, surviving minor children of
11 Jeffrey Scott McIntire, deceased, for the wrongful death
12 of their husband and father, Jeffrey Scott McIntire, as a
13 result of the negligence of the Florida Department of
14 Transportation.
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