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1 A bill to be entitled
2 An act for the relief of Alan Jerome Crotzer; providing an
3 appropriation to compensate Alan Jerome Crotzer for
4 wrongful imprisonment and for being a victim of a
5 miscarriage of justice; directing the Chief Financial
6 Officer to draw a warrant; requiring the purchase of an
7 annuity; providing for the waiver of specified tuition and
8 fees; providing conditions for payment; providing
9 legislative intent; providing an effective date.

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11 WHEREAS, in 1982, Alan Jerome Crotzer was convicted in
12 Hillsborough County, Florida, of rape, robbery, and kidnapping,
13 and was sentenced to 130 years in prison, and

14 WHEREAS, Alan Jerome Crotzer may also be known as Allen
15 Jerome Crotzer in the criminal pleadings of this case, and

16 WHEREAS, after serving more than 24 and 1/2 years in
17 prison, during which time he diligently maintained his
18 innocence, Alan Jerome Crotzer has been fully exonerated through
19 DNA tests, and

20 WHEREAS, an order of the circuit court, entered on the
21 motion of the state attorney, has judicially established the
22 fact that Alan Jerome Crotzer should not have been incarcerated
23 since he was innocent of the crimes for which he was prosecuted,
24 and

25 WHEREAS, DNA testing of evidence has irrefutably excluded
26 Alan Jerome Crotzer as the person who committed the crimes for
27 which he was convicted, and

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28 WHEREAS, considering the totality of the circumstances,
29 equity and justice require that this miscarriage of justice
30 should be addressed by the Legislature of the State of Florida,
31 NOW, THEREFORE,

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

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

37 Section 2. There is appropriated from the General Revenue
38 Fund the sum of \$1.25 million to the Department of Financial
39 Services under the conditions provided in this act.

40 Section 3. The Chief Financial Officer is directed to draw
41 a warrant in the sum of \$1.25 million for the purposes provided
42 in this act.

43 Section 4. The Department of Financial Services shall pay
44 the funds appropriated under this act to an insurance company or
45 other financial institution admitted and authorized to issue
46 annuity contracts in this state and selected by Alan Jerome
47 Crotzer for the purchase of an annuity. The Department of
48 Financial Services shall execute all necessary agreements to
49 implement this act.

50 Section 5. Tuition and fees for Alan Jerome Crotzer shall
51 be waived for up to a total of 120 hours of instruction at any
52 career center established pursuant to s. 1001.44, Florida
53 Statutes, at any community college established under part III of
54 chapter 1004, Florida Statutes, or any state university. For any
55 educational benefit made, Alan Jerome Crotzer shall meet and

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56 maintain the regular admission requirements of, and be
57 registered at, such career center, community college, or state
58 university and make satisfactory academic progress as defined by
59 the educational institution in which the claimant is enrolled.

60 Section 6. The Chief Financial Officer shall purchase the
61 annuity as required by this act upon delivery by Alan Jerome
62 Crotzer to the Chief Financial Officer, the Department of
63 Financial Services, the President of the Senate, and the Speaker
64 of the House of Representatives of all of the following:

65 (1) An executed release and waiver on behalf of Alan
66 Jerome Crotzer and his heirs, successors, and assigns forever
67 releasing the State of Florida and any agency, instrumentality,
68 officer, employee, or political subdivision thereof or any other
69 entity subject to the provisions of s. 768.28, Florida Statutes,
70 from any and all present or future claims or declaratory relief
71 that the claimant, or his heirs, successors, or assigns, may
72 have against such enumerated entities and arising out of the
73 factual situation in connection with the conviction for which
74 compensation is awarded. However, declaratory action to obtain
75 judicial expungement of Alan Jerome Crotzer's judicial and
76 executive branch records as otherwise provided by law is not
77 prohibited by this act.

78 (2) An order from the court having jurisdiction over the
79 legal claim filed by Alan Jerome Crotzer and his parents which
80 dismisses the claim with prejudice.

81 Section 7. The Legislature may not be deemed by this act
82 to have waived any defense of sovereign immunity or to have
83 increased the limits of liability on behalf of the state or any

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84 person or entity subject to the provisions of s. 768.28, Florida
85 Statutes, or any other law.

86 Section 8. This award is intended to provide the sole
87 compensation for any and all present and future claims arising
88 out of the factual situation in connection with Alan Jerome
89 Crotzer's conviction and imprisonment, and the state may not
90 make any further award for attorney's fees, lobbying fees,
91 costs, or other similar expenses.

92 Section 9. This act shall take effect upon becoming a law.