

By Senator Campbell

38-00154-18

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1 A bill to be entitled
2 An act for the relief of the Justice-2-Jesus
3 Charitable Trust; providing an appropriation to
4 compensate the trust for injuries and damages
5 sustained as a result of the negligence and inaction
6 of state government; providing a limitation on the
7 payment of attorney fees; providing an effective date.
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9 WHEREAS, the Justice-2-Jesus Charitable Trust is a
10 charitable trust under the laws of this state and is a nonprofit
11 organization under s. 501(c) (3) of the Internal Revenue Code,
12 created and formed in December 2006 for the purpose of
13 encouraging civic engagement, education, and government
14 accountability, and

15 WHEREAS, the trust initiated its activities during the
16 period from 2006 to 2008 through its trustees, Calvester-
17 Benjamin Anderson and Brian Pitts, in the judicial and executive
18 branches of state government by attending or appearing in public
19 meetings and privately communicating through continued
20 correspondence and by telephone to officers and employees of
21 state government, and

22 WHEREAS, by the end of the 2008 regular legislative
23 session, the trust had garnered the attention of many in the
24 Legislature by attending and appearing before numerous
25 committees and councils and through private correspondence with
26 members of those bodies on issues covering all aspects of the
27 lives of Florida residents and government, and the trust's
28 activities were clearly recognized by both the media and
29 legislators, and

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30 WHEREAS, many believed the trust and its trustees suspect
31 and had a hidden agenda and that its cause would not come to
32 fruition; and so as not to deceive, exploit, embarrass, or
33 harass officers and employees of the Legislature and the other
34 two branches of state government, precautions and maneuvers were
35 put into play to quickly defuse what seemed to be a problem, and

36 WHEREAS, year after year, despite concerns by many of the
37 trust's lack of sincerity, it continued in all manner of
38 business with the utmost protocol and decorum with state
39 officials and employees, and as such proved to be highly
40 respectful and honorable, and an example to emulate, and

41 WHEREAS, by 2012 the trust proved itself and reached an
42 apex, receiving the approval of many government officers and
43 employees, and becoming the subject of countless news articles,
44 videos, and comments of many, whether liked or disliked, and

45 WHEREAS, the trust has gone beyond its charge of civics,
46 education, and government accountability, and with its services
47 and resources has actually assisted Florida government in its
48 processes and conduct and has brought about change, and

49 WHEREAS, from 2008 to 2016, without wavering, the trust has
50 continued its never-ending cause that Florida should have a
51 government that the people can reach and engage with, whether it
52 be on simple or complex matters, and that the process can be
53 understood and properly and fairly applied without political
54 gamesmanship or hidden agendas, and that, in fact, anything less
55 than this ought not be tolerated, and

56 WHEREAS, the trust has become a conscience and a unique
57 watchdog over certain nonfeasance, misfeasance, or malfeasance
58 in state government which necessitates the trust's service to

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59 the residents of this state, and otherwise such actions and
60 conduct of state government would remain unknown, ignored, or
61 concealed, and

62 WHEREAS, the time, effort, and means to undertake what the
63 trust has accomplished cannot be fairly comprehended, and such
64 an endeavor is truly consuming and commendable, one that very
65 few would undertake or even want to comprehend, and

66 WHEREAS, the Florida Supreme Court has construed the far-
67 reaching circumstances to which the Legislature may extend
68 relief to any matter under the common law of this state in
69 *Gerard v. Dept. of Transp.*, 472 So. 2d 1170, 1172 (Fla. 1985)
70 (“ . . .we agree with the Department of Transportation’s
71 assertion that a judgment in this case was not a prerequisite to
72 Gerard’s filing a claims bill in the legislature. As the First
73 District Court stated in *Jetton v. Jacksonville Electric*
74 *Authority*, 399 So. 2d 396, 397 (Fla. 1st DCA 1981) while the
75 Legislature has placed limits on recovery, ‘claimants remain
76 free to seek legislative relief bills, as they did during days
77 of complete sovereign immunity’”), or *Dickinson v. Bradley*, 298
78 So. 2d 352, 354 (Fla. 1974) (“ . . .any claim bill is restricted
79 to less than the general public and its purpose is to discharge
80 the state’s moral obligation to any individual or other entity
81 whom or which the legislature recognizes as being entitled to
82 such. . . . The legislature may enact a claim bill for what
83 would be a tort if a private party was involved just as
84 effectively as for what would constitute a contractual debt.”),
85 NOW, THEREFORE,

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

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

Section 2. This is solely an equitable claim, not based on an existing judgment, which the Legislature believes should be granted to fulfill its moral obligation to and recognition of Justice-2-Jesus Charitable Trust for its great and hard work in improving Florida government, publicly and privately.

Section 3. The sum of \$240,000 is appropriated from the General Revenue Fund to the Legislature for the relief of Justice-2-Jesus Charitable Trust for damages, including services and expenses, caused by the negligence or inaction, nonfeasance, misfeasance, or malfeasance of Florida government, and its civic charge on behalf of the taxpayers of this state to bring true change for the good of the order and to develop good government.

Section 4. The Chief Financial Officer is directed to draw a warrant in favor of Justice-2-Jesus Charitable Trust in the sum of \$240,000 upon funds of the Legislature in the State Treasury and to pay the same out of such funds in the State Treasury.

Section 5. The amount paid by the Legislature under s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in injuries and damages to Justice-2-Jesus Charitable Trust due to its voluminous dealings directly and indirectly with the three branches of state government. The total amount paid for attorney fees relating to this claim may not exceed 25 percent of the amount awarded under this act.

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