



151546

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/05/2024	.	
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The Committee on Judiciary (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

Section 2. The St. Johns County Sheriff's Office is authorized and directed to appropriate from funds of the county not otherwise encumbered and pay Julia Perez \$6.3 million, to compensate her for the injuries and damages she sustained due to the negligence of an employee of the St. Johns County Sheriff's



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12 Office.

13 Section 3. It is the intent of the Legislature that all
14 lien interests held by the state, if any, resulting from the
15 treatment and care of Julia Perez for the occurrences described
16 in this act are waived. It is the intent of the Legislature that
17 all Medicaid liens arising from the treatment and care of the
18 injuries and damages to Julia Perez described in this act shall
19 be waived.

20 Section 4. The amount awarded under this act is intended to
21 provide the sole compensation for all present and future claims
22 arising out of the factual situation described in this act which
23 resulted in injuries and damages to Julia Perez. The total
24 amount paid for attorney fees relating to this claim may not
25 exceed 25 percent of the total amount awarded under this act.

26 Section 5. This act shall take effect upon becoming a law.

27

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

29 And the title is amended as follows:

30 Delete everything before the enacting clause
31 and insert:

32 A bill to be entitled
33 An act for the relief of Julia Perez by the St. Johns
34 County Sheriff's Office; providing for an
35 appropriation to compensate Julia Perez for personal
36 injuries and damages sustained as a result of the
37 negligence of an employee of the St. Johns County
38 Sheriff's Office; providing legislative intent for the
39 waiver of certain lien interests; providing a
40 limitation on compensation and the payment of attorney



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41 fees; providing an effective date.

42

43 WHEREAS, at 5:09 p.m. on April 7, 2019, Julia Perez was
44 wearing a helmet and lawfully operating a motorcycle within the
45 posted speed limit, traveling east on State Road 16 in the
46 correct travel lane in unincorporated St. Johns County, and

47 WHEREAS, at the same time, an employee of the St. Johns
48 County Sheriff's Office (SJSO), acting in the course and scope
49 of his employment, was operating a marked SJSO patrol vehicle,
50 and traveling west on State Road 16, and

51 WHEREAS, the SJSO employee negligently entered the
52 intersection of State Road 16 and Harvest Lane and attempted a
53 left turn directly in front of the motorcycle operated by Ms.
54 Perez, and

55 WHEREAS, Ms. Perez's motorcycle struck the right side of
56 the SJSO vehicle, causing her to eject from her motorcycle and
57 impact the hood of the patrol car before she came to rest on the
58 pavement of State Road 16, and

59 WHEREAS, the Florida Highway Patrol's traffic crash
60 investigators conducted an extensive crash investigation of the
61 accident, including preparation for a traffic homicide
62 reconstruction due to Ms. Perez's grave condition, and

63 WHEREAS, witnesses on the scene told investigators that, at
64 the time of the crash, eastbound traffic had a steady green
65 signal, giving Ms. Perez the right of way, and

66 WHEREAS, the investigation determined that the actions of
67 Ms. Perez were reasonable and did not contribute to or cause the
68 collision, and

69 WHEREAS, the Florida Highway Patrol investigation found the



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70 SJSO employee to be solely at fault for causing the accident and
71 issued him a traffic citation for failure to yield to oncoming
72 traffic in violation of s. 316.122, Florida Statutes, to which
73 he pled no contest, and

74 WHEREAS, the St. Johns County Sheriff's Office has admitted
75 its employee was negligent in causing the collision and liable
76 for Ms. Perez's injuries, and

77 WHEREAS, Ms. Perez suffered catastrophic injuries, was
78 intubated and resuscitated at the crash site by local emergency
79 medical services, and was rushed to the Trauma Center at
80 Memorial Hospital Jacksonville, where she arrived comatose and
81 had to undergo a series of blood transfusions, and

82 WHEREAS, Ms. Perez suffered multiple open and comminuted
83 fractures of the pelvis, arms, and legs, as well as organ
84 lacerations and punctures, including a punctured left lung,
85 resulting in cardiopulmonary arrest due to blood loss, and
86 numerous complications, including a pulmonary embolism, deep
87 vein thrombosis, and episodes of pneumonia; suffered at least
88 one myocardial infarction; and endured multiple systemic
89 infections, bowel obstructions, a fractured arm, and a nicked
90 artery, and

91 WHEREAS, Ms. Perez remained hospitalized and was in a
92 nursing home for almost 8 months following the crash, and

93 WHEREAS, because of blood loss and infection, Ms. Perez
94 suffered renal tubular necrosis and a kidney injury, which
95 necessitated her to receive kidney dialysis for many months and
96 made it possible that she will need further kidney treatment in
97 the future, and

98 WHEREAS, Ms. Perez suffers from substantial pain when



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99 trying to accomplish simple tasks of daily living and
100 experiences interrupted sleep on a nightly basis, chronic
101 migraine headaches, and severe elevated blood pressure, and
102 WHEREAS, Ms. Perez suffers from memory loss, confusion,
103 communication difficulties, fatigue, frustration, and
104 depression, and she is under the treatment of a neurologist, and
105 WHEREAS, Ms. Perez has undergone dozens of surgeries and
106 faces many more, and
107 WHEREAS, Ms. Perez's past medical bills attributable to the
108 crash and related liens amount to more than \$3,863,108.09, and
109 WHEREAS, the costs of Ms. Perez's future medical care and
110 related expenses are estimated to be as much as \$4,077,923.57
111 over the course of Ms. Perez's life, and
112 WHEREAS, Ms. Perez has been declared to be totally and
113 permanently disabled by her physicians, and her loss of earning
114 capacity is estimated to be \$282,110, based on her full Social
115 Security retirement age of 67 and a minimum-wage earning
116 capacity, and
117 WHEREAS, a lawsuit was filed on behalf of Ms. Perez and was
118 set for trial in the Circuit Court of the Seventh Judicial
119 Circuit, in and for St. Johns County, Florida, styled *Julia*
120 *Perez vs. Robert A. Hardwick, in his capacity as Sheriff of St.*
121 *Johns County*, Case No.: 2020-CA-387; however, the parties agreed
122 to a settlement amount of \$6.5 million before trial, and
123 WHEREAS, Ms. Perez has been paid the statutory limit of
124 \$200,000 by the St. Johns County Sheriff's Office's self-
125 insuring risk pool, leaving a balance of \$6.3 million which the
126 St. Johns County Sheriff's Office is willing to pay upon being
127 authorized to do so by the enactment of a claim bill pursuant to



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128 s. 768.28, Florida Statutes, and

129 WHEREAS, the parties agree to support a claim bill that
130 authorizes and directs the St. Johns County Sheriff's Office to
131 appropriate from funds of the county and pay Julia Perez \$6.3
132 million, and

133 WHEREAS, Ms. Perez seeks the total sum of \$6.3 million in
134 relief from the Legislature for satisfaction of her injuries and
135 damages, NOW, THEREFORE,