

By Senator Campbell

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201944__

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

38-00142-19

201944__

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

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

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

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

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

57 WHEREAS, the trust has become a conscience and a unique
58 watchdog over certain nonfeasance, misfeasance, or malfeasance

38-00142-19

201944__

59 in state government which necessitates the trust's service to
60 the residents of this state, and otherwise such actions and
61 conduct of state government would remain unknown, ignored, or
62 concealed, and

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

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

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38-00142-19

201944__

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

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

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

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

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

110 Section 5. The amount paid by the Legislature under s.
111 768.28, Florida Statutes, and the amount awarded under this act
112 are intended to provide the sole compensation for all present
113 and future claims arising out of the factual situation described
114 in this act which resulted in injuries and damages to the
115 Justice-2-Jesus Charitable Trust due to its voluminous dealings
116 directly and indirectly with the three branches of state

38-00142-19

201944__

117 government. The total amount paid for attorney fees relating to
118 this claim may not exceed 25 percent of the amount awarded under
119 this act.

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