

contract, which awards damages, prejudgment interest, attorney's fees, or costs, and from which no appeal has been taken as of the effective date of this act.

(5) Section 7 of chapter 92-350, Laws of Florida, is amended to read:

Section 7. Any unobligated balance remaining within the Hurricane Andrew Recovery and Rebuilding Trust Fund on June 30, ~~1996~~ 1995, shall be transferred to the Working Capital Fund.

Section 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 9. Except as otherwise provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 1994, or in the event this act fails to become a law until after that date, it shall operate retroactively thereto. This act shall expire and be void and inoperative on July 1, 1995.

Approved by the Governor June 16, 1994.

Filed in Office Secretary of State June 16, 1994.

CHAPTER 94-359

Committee Substitute for House Bill No. 591

An act relating to Rosewood, Florida; directing the Florida Department of Law Enforcement to conduct investigations; requiring a report to the Legislature; appropriating funds to compensate Rosewood families for property damage; appropriating funds to compensate former residents, including Arnett T. Goins, Minnie L. Langley, Willie Evans, and Wilson Hall; providing for the establishment of a state university scholarship fund for Rosewood families; continue the Rosewood research and development of materials; providing an effective date.

WHEREAS, during the month of January 1923, the African-American community of Rosewood, Florida, was destroyed, and

WHEREAS, the African-American residents of Rosewood, Florida, sustained personal and property damages, and

WHEREAS, The Rosewood Massacre was a unique tragedy in Florida's history in that the State and local government officials were on notice of the serious racial conflict in Rosewood during the entire week of January 1, 1923, and had sufficient time and opportunity to act to prevent the tragedy, and nonetheless failed to act to prevent the tragedy; an entire town was destroyed and its residents killed or fled, never to return; and the State and local government officials thereafter failed to reasonably investigate the matter, failed to bring the perpetrators to justice and failed to secure the area for the safe return of the displaced residents; and

WHEREAS, a hearing was held by the Special Master of the House of Representatives, and Arnett T. Goins, Minnie Lee Langley, Willie Evans, and Wilson Hall have shown by a preponderance of the evidence that they were present and directly affected by the violence that took place at Rosewood in January, 1923, and that they each suffered compensable damages of at least \$150,000.

WHEREAS, the State of Florida recognizes an equitable obligation to redress the injuries sustained as a result of the destruction of Rosewood, Florida, NOW, THEREFORE,

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

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

Section 2. The Florida Department of Law Enforcement is hereby directed to investigate the crimes committed in and around Rosewood, Florida, in 1923, to determine if any criminal prosecutions may be pursued, and to report its findings to the Legislature.

Section 3. The amount of \$500,000 is appropriated from the General Revenue Fund to the Office of the Attorney General for the purpose of compensating the African-American families of Rosewood, Florida, who demonstrate real property and personal property damages sustained as a result of the destruction of Rosewood, Florida, in 1923. The Attorney General is authorized to compensate each eligible family in the amount of \$20,000, and, upon a finding by the Attorney General that the present-day value of real and personal property loss exceeds \$20,000, the Attorney General may settle such property claims up to the amount of \$100,000.

Section 4. Any African-American resident from Rosewood, Florida, living upon the effective date of this act, who was present and affected by the violence that took place at Rosewood in January, 1923, and was evacuated the week of January 1, 1923, shall be eligible for a payment of compensation from the State of Florida of up to \$150,000. The Attorney General shall identify and locate eligible individuals by using records already in possession of the State of Florida and by giving notice in the newspaper as provided in Chapter 50. The identification and location of all eligible individuals shall be completed within 6 months of the effective date of this act or December 31, 1994, whichever is later. Failure to be identified and located by the end of the designated time period shall preclude an eligible individual from receiving payment under this section. The individual seeking compensation must provide the Attorney General with reasonable proof of eligibility and the extent of their damages. Upon receipt of reasonable proof of the individual's eligibility and extent of damages, the Attorney General shall notify the Comptroller of the individual's name, eligibility, and amount of compensation not to exceed \$150,000. There is hereby appropriated \$1.5 million from the General Revenue Fund to implement this section. If funds are insufficient to provide maximum compensation to each eligible individual the comptroller may pro-rate available funds and make a partial award to each eligible individual. Any unused appropriations in this section shall revert to the Working Capital Fund.

Section 5. (1) There is created a Rosewood Family Scholarship Fund for minority persons with preference given to the direct descendants of the Rosewood families, not to exceed 25 scholarships per year.

(2) The Rosewood Family Scholarship Fund shall be administered by the Department of Education. The State Board of Education shall adopt rules for administering this program which shall at a minimum provide for the following:

(a) The annual award to a student shall be up to \$4,000 but should not exceed an amount in excess of tuition and registration fees.

(b) If funds are insufficient to provide a full scholarship to each eligible applicant, the department may prorate available funds and make a partial award to each eligible applicant.

(c) The department shall rank eligible initial applicants for the purposes of awarding scholarships with preference being given to the direct descendants of the Rosewood families. The remaining applicants shall be ranked based on need as determined by the Department of Education.

(d) Payment of an award shall be transmitted in advance of the registration period each semester on behalf of the student to the president of the university or community college, or his representative, or to the director of the area vocational-technical school which the recipient is attending.

(3) Beginning with the 1994-95 academic year, the department is authorized to make awards for undergraduate study to students who:

(a) Meets the general requirements for students eligibility as provided in s. 240.404, except as otherwise provided in this section;

(b) Files an application for the scholarship within the established time limits;

(c) Enrolls as a certificate-seeking or degree-seeking student at a public university, community college or area vocational-technical school authorized by law.

Section 6. The state university system shall continue the research of the Rosewood incident and the history of race relations in Florida and develop materials for the educational instruction of these events.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor May 4, 1994.

Filed in Office Secretary of State May 4, 1994.

CHAPTER 94-360

Senate Bill No. 36

An act relating to road designations; designating a portion of Highway U.S. 1 in Brevard County as the "Johnson-Grogan Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

WHEREAS, law enforcement officers are required to put their lives on the line each day in the performance of their duties, and

WHEREAS, law enforcement officers perform an indispensable function in our society in maintaining order and in rendering assistance to citizens in danger, and