

By Representative Stafford

1 A bill to be entitled
2 An act relating to public records; providing
3 exemptions from public records requirements for
4 information identifying the person
5 administering the lethal injection during
6 execution of the death sentence; providing for
7 future review and repeal; providing a finding
8 of public necessity; amending s. 945.10, F.S.,
9 relating to confidential information of the
10 Department of Corrections, to conform;
11 providing a contingent effective date.

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

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15 Section 1. Information which, if released, would
16 identify the person administering the lethal injection
17 pursuant to s. 922.10, Florida Statutes, is confidential and
18 exempt from the provisions of s. 119.07(1) and s. 24(a), Art.
19 I of the State Constitution. This section is subject to the
20 Open Government Sunset Review Act of 1995 in accordance with
21 s. 119.15, Florida Statutes, and shall stand repealed on
22 October 2 of the year 5 years after the year of enactment,
23 unless reviewed and saved from repeal through reenactment by
24 the Legislature.

25 Section 2. Paragraph (g) of subsection (1) of section
26 945.10, Florida Statutes, 1996 Supplement, is amended to read:

27 945.10 Confidential information.--

28 (1) Except as otherwise provided by law or in this
29 section, the following records and information of the
30 Department of Corrections are confidential and exempt from the

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1 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
2 Constitution:

3 (g) The identity of an executioner, or a person
4 administering a lethal injection pursuant to s. 922.10.

5 Section 3. The Legislature finds that the disclosure
6 of information identifying a person administering a lethal
7 injection for purposes of death sentence execution pursuant to
8 s. 922.10, Florida Statutes, would jeopardize the person's
9 safety and welfare by exposing that person to potential
10 harassment, intimidation, and harm and would constitute an
11 unwarranted invasion into the person's privacy. The release of
12 this information would not benefit the public or aid it in the
13 effective operation of government or the orderly imposition of
14 capital punishment. Therefore, the Legislature finds that it
15 is a public necessity that this information be kept
16 confidential and exempt from disclosure under public records
17 law.

18 Section 4. This act shall take effect on the same date
19 that House Bill or similar legislation providing for
20 execution of the death sentence by lethal injection takes
21 effect, if such legislation is adopted in the same legislative
22 session or an extension thereof.

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25 HOUSE SUMMARY

26 Provides exemptions from public records requirements for
27 information identifying the person administering the
28 lethal injection for purposes of death sentence
29 execution. Provides for future review and repeal.
30 Provides a finding of public necessity.
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