

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. 922.105, 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21 s. 119.15, Florida Statutes, and shall stand repealed on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, 2003, unless reviewed and saved from repeal through
23 reenactment by the Legislature.

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

26 945.10 Confidential information.--

27 (1) Except as otherwise provided by law or in this
28 section, the following records and information of the
29 Department of Corrections are confidential and exempt from the
30 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
31 Constitution:

1 (g) The identity of an executioner, or a person
2 administering a lethal injection pursuant to s. 922.105.

3 Section 3. The Legislature finds that the disclosure
4 of information identifying a person administering a lethal
5 injection for purposes of death sentence execution pursuant to
6 s. 922.105, Florida Statutes, would jeopardize the person's
7 safety and welfare by exposing that person to potential
8 harassment, intimidation, and harm and would constitute an
9 unwarranted invasion into the person's privacy. The release of
10 this information would not benefit the public or aid it in the
11 effective operation of government or the orderly imposition of
12 capital punishment. Therefore, the Legislature finds that it
13 is a public necessity that this information be kept
14 confidential and exempt from disclosure under public records
15 law.

16 Section 4. This act shall take effect on the same date
17 that Committee Substitute for House Bill 3033 or similar
18 legislation providing for execution of the death sentence by
19 lethal injection takes effect, if such legislation is adopted
20 in the same legislative session or an extension thereof.
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