

By the Committee on Crime & Punishment and Representatives
Crist, Fasano and Melvin

1 A bill to be entitled
2 An act relating to public records exemptions;
3 amending s. 922.106 and s. 945.10, F.S.;
4 providing that information which, if released,
5 would identify the person prescribing,
6 preparing, compounding, dispensing, or
7 administering a lethal injection pursuant to a
8 death penalty sentence shall be exempt from
9 public records requirements; providing a
10 legislative finding of public necessity;
11 providing an 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. Section 922.106, Florida Statutes, is
16 amended to read:

17 922.106 Exemption from public records
18 requirements.--Information which, if released, would identify
19 any the person prescribing, preparing, compounding,
20 dispensing, or administering the lethal injection pursuant to
21 ~~s. 922.105~~ is confidential and exempt from the provisions of
22 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
23 This section is subject to the Open Government Sunset Review
24 Act of 1995 in accordance with s. 119.15 and shall stand
25 repealed on October 2, 2003, unless reviewed and saved from
26 repeal through reenactment by the Legislature.

27 Section 2. Paragraph (g) of subsection (1) of section
28 945.10, Florida Statutes, is amended to read:

29 945.10 Confidential information.--

30 (1) Except as otherwise provided by law or in this
31 section, the following records and information of the

1 Department of Corrections are confidential and exempt from the
2 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
3 Constitution:

4 (g) The identity of an executioner, or a person
5 prescribing, preparing, compounding, dispensing, or
6 administering a lethal injection ~~pursuant to s. 922.105.~~

7 Section 3. The Legislature finds that the disclosure
8 of information identifying a person prescribing, preparing,
9 compounding, dispensing, or administering a lethal injection
10 for purposes of death sentence execution would jeopardize the
11 person's safety and welfare by exposing that person to
12 potential harassment, intimidation, and harm and would
13 constitute an unwarranted invasion into the person's privacy.
14 Therefore, the Legislature finds that it is a public necessity
15 that this information be kept confidential and exempt from
16 disclosure under public records laws.

17 Section 4. This act shall take effect on the same date
18 that House Bill 5-A or similar legislation providing for
19 execution of the death sentence by lethal injection takes
20 effect, if such legislation is adopted in the same legislative
21 session or an extension thereof.

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