

By Senator Broxson

1-00595A-22

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1                   A bill to be entitled  
2           An act relating to public records; amending s. 945.10,  
3           F.S.; providing an exemption from public records  
4           requirements for information or records that identify  
5           or could reasonably lead to the identification of any  
6           person or entity that participates in an execution;  
7           providing for retroactive application; providing for  
8           future legislative review and repeal of the exemption;  
9           providing a statement of public necessity; providing  
10          an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Paragraph (j) is added to subsection (1) of  
15           section 945.10, Florida Statutes, to read:

16           945.10 Confidential information.—

17           (1) Except as otherwise provided by law or in this section,  
18           the following records and information held by the Department of  
19           Corrections are confidential and exempt from the provisions of  
20           s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

21           (j)1. Information or records that identify or could  
22           reasonably lead to the identification of any person or entity  
23           that participates in, has participated in, or will participate  
24           in an execution, including persons or entities administering,  
25           compounding, dispensing, distributing, maintaining,  
26           manufacturing, ordering, preparing, prescribing, providing,  
27           purchasing, or supplying drugs, chemicals, supplies, or  
28           equipment necessary to conduct an execution in compliance with  
29           chapter 922.

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30       2. The exemption in subparagraph 1. applies to information  
31 and records held by the department before, on, or after the  
32 effective date of the exemption.

33       3. This paragraph is subject to the Open Government Sunset  
34 Review Act in accordance with s. 119.15 and shall stand repealed  
35 on October 2, 2027, unless reviewed and saved from repeal  
36 through reenactment by the Legislature.

37       Section 2. The Legislature finds that it is a public  
38 necessity that information or records that identify or could  
39 reasonably lead to the identification of those persons or  
40 entities that participate in an execution be made confidential  
41 and exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
42 Article I of the State Constitution. The disclosure of  
43 information or records that identify or that could reasonably  
44 lead to the identification of those persons or entities that  
45 participate in an execution could jeopardize the safety of such  
46 persons or entities by exposing them to potential harassment,  
47 intimidation, or harm and could also thwart the ability of the  
48 Department of Corrections to obtain the necessary personnel,  
49 drugs, chemicals, supplies, or equipment needed to carry out  
50 executions. Therefore, the Legislature finds that it is a public  
51 necessity that this information be kept confidential and exempt  
52 from public disclosure.

53       Section 3. This act shall take effect upon becoming a law.