Florida House of Representatives - 1998

By the Committee on Crime & Punishment and Representatives Stafford, Heyman and Sanderson

ĺ	
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.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
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21	s. 119.15, Florida Statutes, and shall stand repealed on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

CODING:Words stricken are deletions; words underlined are additions.

Florida House of Representatives - 1998 189-831-98

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 this information would not benefit the public or aid it in the 10 effective operation of government or the orderly imposition of 11 12 capital punishment. Therefore, the Legislature finds that it 13 is a public necessity that this information be kept confidential and exempt from disclosure under public records 14 15 law. Section 4. This act shall take effect on the same date 16 17 or similar legislation providing for that House Bill 18 execution of the death sentence by lethal injection takes 19 effect, if such legislation is adopted in the same legislative 20 session or an extension thereof. 21 22 23 HOUSE SUMMARY 24 Provides exemptions from public records requirements for information identifying the person administering the lethal injection for purposes of death sentence execution. Provides for future review and repeal. Provides a finding of public necessity. 25 2.6 27 28 29 30 31

CODING: Words stricken are deletions; words underlined are additions.