

Senate Bill No. 4-A

An act relating to public records exemptions; amending s. 922.106 and s. 945.10, F.S.; providing that information which, if released, would identify any person prescribing, preparing, compounding, dispensing, or administering a lethal injection pursuant to a death penalty sentence shall be exempt from public records requirements; providing a legislative finding of public necessity; providing an effective date.

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

Section 1. Section 922.106, Florida Statutes, is amended to read:

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 This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15 and shall stand repealed on October 2, 2003, unless reviewed and saved from repeal through reenactment by the Legislature.

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

945.10 Confidential information.—

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

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

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

Section 4. This act shall take effect on the same date that Senate Bill 6-A or similar legislation providing for execution of the death sentence by lethal injection takes effect, if such legislation is adopted in the same legislative session or an extension thereof.

Approved by the Governor January 14, 2000.

Filed in Office Secretary of State January 14, 2000.