

## House Bill No. 1717

An act relating to a public records exemption for information identifying an executioner and specified persons involved in an execution; amending s. 922.10, F.S.; removing the public records exemption for an executioner's identifying information; repealing s. 922.106, F.S., which provides an exemption from public records requirements for information that would identify any person prescribing, preparing, compounding, dispensing, or administering a lethal injection pursuant to a death sentence; amending s. 945.10, F.S.; revising language with respect to the public records exemption for the identity of an executioner and persons prescribing, preparing, compounding, dispensing, or administering a lethal injection; providing an effective date.

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

Section 1. Section 922.10, Florida Statutes, is amended to read:

922.10 Execution of death sentence; executioner.—A death sentence shall be executed by electrocution or lethal injection in accordance with s. 922.105. The warden of the state prison shall designate the executioner. ~~Information which, if released, would identify the executioner is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.~~ The warrant authorizing the execution shall be read to the convicted person immediately before execution.

Section 2. Section 922.106, Florida Statutes, is repealed.

Section 3. 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 held by ~~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:

(a) Mental health, medical, or substance abuse records of an inmate or an offender.

(b) Preplea, pretrial intervention, and presentence or postsentence investigative records, except as provided in s. 960.001(1)(g).

(c) Information regarding a person in the federal witness protection program.

(d) Parole Commission records which are confidential or exempt from public disclosure by law.

- (e) Information which if released would jeopardize a person's safety.
- (f) Information concerning a victim's statement and identity.
- (g) Information which identifies ~~The identity of~~ an executioner, or any a person prescribing, preparing, compounding, dispensing, or administering a lethal injection.
- (h) Records that are otherwise confidential or exempt from public disclosure by law.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.