
DIGEST

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Lopinto

HB No. 328

Abstract: Provides for confidentiality of information related to the execution of a death sentence.

Present law provides for the manner of execution of a death sentence.

Proposed law retains present law.

Proposed law provides that the name, address, qualifications, and other identifying information of any person or entity that manufactures, compounds, prescribes, dispenses, supplies, or administers the drugs or supplies utilized in an execution shall be confidential, shall not be subject to disclosure, and shall not be admissible as evidence or discoverable in any action of any kind. Provides that the same confidentiality applies to any person who participates in an execution or performs any ancillary function related to an execution and shall include information contained in any department records, including electronic records, that would identify any such person.

Present law (Public Records Law, R.S. 44:1 et seq.) defines "public record" and establishes a framework for the ready availability of public records to requesting persons. Provides for certain exceptions, exemptions, and limitations. Specifies that any exception, exemption, or limitation to the laws pertaining to public records not provided for in the Public Records Law or in the constitution shall have no effect.

Proposed law retains present law and adds a reference to the exception provided by proposed law in the Public Records Law.

(Amends R.S. 44:4.1(B)(8); Adds R.S. 15:569(E))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Deleted all references to death by electrocution.
2. Added provisions for the confidentiality of the identity of persons supplying drugs for a lethal injection and of persons participating in or performing an execution.

Committee Amendments Proposed by House Committee on House and Governmental Affairs
to the engrossed bill.

1. Adds a reference to proposed law in the Public Records Law.
2. Clarifies that the confidentiality provided in proposed law does apply to information contained in department records.