

IN THE SENATE

SENATE BILL NO. 1005

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO EXECUTIONS; AMENDING SECTION 19-2716, IDAHO CODE, TO PROVIDE
2 THAT THE IDENTITIES OF CERTAIN INDIVIDUALS PARTICIPATING OR ASSISTING
3 IN AN EXECUTION AND CERTAIN INFORMATION SHALL BE CONFIDENTIAL.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 19-2716, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 19-2716. INFLICTION OF DEATH PENALTY. (1) The punishment of death
9 shall be inflicted by continuous, intravenous administration of a lethal
10 quantity of a substance or substances approved by the director of the Idaho
11 department of correction until death is pronounced by a coroner or a deputy
12 coroner. The director of the Idaho department of correction shall determine
13 the procedures to be used in any execution.

14 (2) The identities of individuals participating in or assisting with
15 an execution, including the onsite physician, department of correction
16 staff, consultants, members of the escort team and medical team, and any
17 information where the disclosure of such information could jeopardize the
18 department's ability to carry out an execution, including the source of any
19 lethal substances, shall be confidential. Notwithstanding any provision of
20 law to the contrary, any such confidential information shall be privileged
21 and shall not be subject to discovery, subpoena or other means of legal com-
22 pulsion.

23 (3) This act shall apply to all executions carried out on and after the
24 effective date of this enactment, irrespective of the date sentence was im-
25 posed.