

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1456

Short Title: Death by Administration of Lethal Drugs.

(Public)

Sponsors: Representatives Justus; and Sexton.

Referred to: Judiciary I.

May 25, 1998

A BILL TO BE ENTITLED

AN ACT TO ABOLISH EXECUTION BY LETHAL GAS AND TO PROVIDE THAT A PERSON CONVICTED OF A CRIMINAL OFFENSE WHO IS SENTENCED TO DEATH SHALL BE EXECUTED BY THE ADMINISTRATION OF LETHAL DRUGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15-187 reads as rewritten:

"§ 15-187. ~~Death by administration of lethal gas or drugs.~~

~~Death by electrocution under sentence of law is hereby abolished and death by the administration of lethal gas substituted therefor, except that if any person sentenced to death so chooses, he may at least five days prior to his execution date, elect in writing to be executed by the administration of a lethal quantity of an ultrashort acting barbiturate in combination with a chemical paralytic agent. under sentence of law are abolished. Any person convicted of a criminal offense and sentenced to death shall be executed only by the administration of a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent."~~

Section 2. G.S. 15-188 reads as rewritten:

"§ 15-188. ~~Manner and place of execution.~~

~~Except as otherwise provided in~~ In accordance with G.S. 15-187, the mode of executing a death sentence must in every case be by ~~causing~~ administering to the convict or felon to

1 ~~inhale lethal gas of sufficient quantity to cause death, and the administration of such lethal gas~~
2 ~~must be continued until such a lethal quantity of an ultrashort-acting barbiturate in~~
3 ~~combination with a chemical paralytic agent until the~~ convict or felon is dead; and when
4 any person, convict or felon shall be sentenced by any court of the State having
5 competent jurisdiction to be so executed, ~~such~~ the punishment shall only be inflicted
6 within a permanent death chamber which the superintendent of the State penitentiary is
7 hereby authorized and directed to provide within the walls of the North Carolina
8 penitentiary at Raleigh, North Carolina. The superintendent of the State penitentiary shall
9 also cause to be provided, in conformity with this Article and approved by the Governor
10 and Council of State, the necessary appliances for the infliction of the punishment of
11 death in accordance with the requirements of this Article.”

12 Section 3. This act is effective when it becomes law.