

Article 27 – Crimes and Punishments

[71.

If an offender, on conviction, may be sentenced to suffer death, the court before whom such offender shall be tried and convicted, shall sentence him to suffer death by the administration of a lethal gas; and when a case has been removed for trial and the party shall be sentenced to death, the court shall remand him to the place where the indictment was found, where such offender shall remain in the custody of the sheriff of that county or city for disposition as hereinafter provided.]

71.

(A) THE MANNER OF INFLICTING THE PUNISHMENT OF DEATH SHALL BE THE CONTINUOUS INTRAVENOUS ADMINISTRATION OF A LETHAL QUANTITY OF AN ULTRASHORT-ACTING BARBITURATE OR OTHER SIMILAR DRUG IN COMBINATION WITH A CHEMICAL PARALYTIC AGENT UNTIL DEATH IS PRONOUNCED BY A LICENSED PHYSICIAN ACCORDING TO ACCEPTED STANDARDS OF MEDICAL PRACTICE.

(B) THE ADMINISTRATION OF THE LETHAL SUBSTANCES REQUIRED BY THIS SECTION MAY NOT BE CONSTRUED TO BE THE PRACTICE OF MEDICINE AND, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PHARMACIST OR PHARMACEUTICAL SUPPLIER MAY DISPENSE DRUGS TO THE COMMISSIONER OF CORRECTION OR THE COMMISSIONER'S DESIGNEE, WITHOUT A PRESCRIPTION, FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS SECTION.

[72.

Punishment of death must be inflicted within the walls of the building hereinafter provided.]

72.

(A) THE COMMISSIONER OF CORRECTION SHALL:

(1) PROVIDE A SUITABLE AND EFFICIENT ROOM OR PLACE IN WHICH EXECUTIONS MAY BE CARRIED OUT THAT IS ENCLOSED FROM PUBLIC VIEW;

(2) PROVIDE ALL OF THE IMPLEMENTS THAT ARE NECESSARY TO THE EXECUTION; AND

(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, SELECT THE PERSON OR PERSONS TO PERFORM THE EXECUTION.

(B) THE COMMISSIONER OF CORRECTION OR THE COMMISSIONER'S DESIGNEE SHALL SUPERVISE THE EXECUTION.

(C) (1) AN EXECUTION SHALL BE PERFORMED BY PERSONS SELECTED BY THE COMMISSIONER OF CORRECTION AND TRAINED TO ADMINISTER THE LETHAL INJECTION.