

HOUSE BILL 2476

By Powers

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 23, Part 1, relative to being sentenced to the punishment of death.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-23-114, is amended by adding the following new subsection (e):

(e) For any person who commits an offense on or after July 1, 2014, for which the person is sentenced to the punishment of death, the method of carrying out the sentence shall be by lethal injection unless subdivision (e)(1) or (e)(2) is applicable. If subdivision (e)(1) or (e)(2) is applicable, the method of carrying out the sentence shall be by electrocution. The alternative method of execution shall be used if:

(1) Lethal injection is held to be unconstitutional by a court of competent jurisdiction in the manner described in subsection (d); or

(2) The commissioner of correction certifies to the governor that one (1) or more of the ingredients essential to carrying out a sentence of death by lethal injection is unavailable through no fault of the department.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it and shall apply to any person who commits an offense for which the person is sentenced to the punishment of death or after such date.