

HOUSE BILL 2085
By Newton

AN ACT to amend Tennessee Code Annotated, Section 39-13-204 and Section 40-23-114, relative to lethal injection as an option for execution of death sentence.

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

SECTION 1. (a) Tennessee Code Annotated, Section 40-23-114, is amended by inserting the language "by lethal injection or" between the word "death" and the word "by".

SECTION 2. Tennessee Code Annotated, Section 39-13-204, is amended by adding the following new subpart:

(g)(3) If the jury determines that the defendant's sentence is death, the jury shall then determine whether lethal injection or electrocution shall be the method of execution to be used to carry out the death sentence.

SECTION 3. The department of correction is authorized to promulgate necessary rules and regulations in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5, to facilitate the implementation of this act.

SECTION 4. This act shall take effect on July 1, 1998, the public welfare requiring it.

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