

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1456  
Second Edition Engrossed 6/9/98

Short Title: Death by Administration of Lethal Drugs.

(Public)

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Sponsors: Representatives Justus; and Sexton.

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Referred to: Judiciary I.

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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.**

1       ~~Except as otherwise provided in~~ In accordance with G.S. 15-187, the mode of executing  
2 a death sentence must in every case be by ~~causing~~ administering to the convict or felon ~~to~~  
3 ~~inhale lethal gas of sufficient quantity to cause death, and the administration of such lethal gas~~  
4 ~~must be continued until such a lethal quantity of an ultrashort-acting barbiturate in~~  
5 ~~combination with a chemical paralytic agent until the convict or felon is dead; and when~~  
6 any person, convict or felon shall be sentenced by any court of the State having  
7 competent jurisdiction to be so executed, ~~such~~ the punishment shall only be inflicted  
8 within a permanent death chamber which the superintendent of the State penitentiary is  
9 hereby authorized and directed to provide within the walls of the North Carolina  
10 penitentiary at Raleigh, North Carolina. The superintendent of the State penitentiary shall  
11 also cause to be provided, in conformity with this Article and approved by the Governor  
12 and Council of State, the necessary ~~appliances for the infliction of the punishment of death in~~  
13 ~~accordance with the requirements of this Article.~~ appliances for the infliction of the  
14 punishment of death and qualified personnel to set up and prepare the injection,  
15 administer the preinjections, insert the IV catheter and to perform other tasks required for  
16 this procedure in accordance with the requirements of this Article.”

17               Section 3. This act is effective when it becomes law and applies to all  
18 executions after the effective date of this act.