

SENATE BILL NO. 307—SENATOR HARDY

MARCH 18, 2019

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to the imposition of the death penalty. (BDR 14-403)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to criminal justice; removing the requirements that certain medical professionals participate in the imposition of the death penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law requires a judgment of death to be inflicted by an injection of a
2 lethal drug. The Director of the Department of Corrections is required to select the
3 drug or combination of drugs to be used after consulting with the Chief Medical
4 Officer. The Director is also required to invite certain persons to be present at the
5 execution, including a competent physician and a psychiatrist. (NRS 176.355) This
6 bill removes the requirements that the Director: (1) consult with the Chief Medical
7 Officer in selecting the drug or combination of drugs to be used for an execution;
8 and (2) invite a competent physician and a psychiatrist to be present at the
9 execution.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 176.355 is hereby amended to read as follows:
2 176.355 1. The judgment of death must be inflicted by an
3 injection of a lethal drug.
4 2. The Director of the Department of Corrections shall:
5 (a) Execute a sentence of death within the week, the first day
6 being Monday and the last day being Sunday, that the judgment is to
7 be executed, as designated by the district court. The Director may
8 execute the judgment at any time during that week if a stay of
9 execution is not entered by a court of appropriate jurisdiction.



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(b) Select the drug or combination of drugs to be used for the execution. ~~{after consulting with the Chief Medical Officer.}~~

(c) Be present at the execution.

(d) Notify those members of the immediate family of the victim who have, pursuant to NRS 176.357, requested to be informed of the time, date and place scheduled for the execution.

(e) Invite ~~{a competent physician,}~~ the county coroner ~~{, a psychiatrist}~~ and not less than six reputable citizens over the age of 21 years to be present at the execution. The Director shall determine the maximum number of persons who may be present for the execution. The Director shall give preference to those eligible members or representatives of the immediate family of the victim who requested, pursuant to NRS 176.357, to attend the execution.

3. The execution must take place at the state prison.

4. A person who has not been invited by the Director may not witness the execution.

Sec. 2. This act becomes effective upon passage and approval.

