

## Session 123 - (2019-2020)

**H 4417 General Bill, By Martin, Hiott, Bennett, V.S. Moss, Trantham, G.R. Smith, Bailey, Huggins, Wooten, Caskey, Chumley, Pope, Burns, Magnuson, Ligon, Ballentine, B. Cox, Forrest, Hixon, Kimmons, Long, D.C. Moss, B. Newton, Sandifer, Simrill, Spires, Thayer and Toole**

***Similar (S 0176, H 3301)***

A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE A PERSON CONVICTED OF A CAPITAL CRIME AND HAVING IMPOSED UPON HIM THE SENTENCE OF DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR, AT THE ELECTION OF THE PERSON, EITHER BY LETHAL INJECTION, IF IT IS AVAILABLE AT THE TIME OF ELECTION, OR BY FIRING SQUAD UNDER THE DIRECTION OF THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS, TO PROVIDE IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, THE ELECTION EXPIRES AND MUST BE RENEWED IN WRITING, TO PROVIDE THE PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES THE RIGHT OF ELECTION, TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE A CONVICTED PERSON'S ELECTION MUST BE IN WRITING AND HIS SIGNATURE MUST BE WITNESSED BY TWO PERSONS WHOSE SIGNATURES MUST BE NOTARIZED, TO PROVIDE BOTH WITNESSES MUST CERTIFY THE CONVICTED PERSON'S SIGNATURE WAS MADE FREE FROM COERCION AND VOLUNTARILY GIVEN, TO PROVIDE IF EXECUTION BY LETHAL INJECTION UNDER THIS SECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION, THEN THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON, AND TO PROVIDE THE DEPARTMENT OF CORRECTIONS MUST PROVIDE WRITTEN NOTICE TO AN INMATE OF HIS RIGHT OF ELECTION UNDER THIS SECTION.

**04/04/19 House Introduced and read first time (House Journal-page 50)**

**04/04/19 House Referred to Committee on Judiciary (House Journal-page 50)**

**04/23/19 House Member(s) request name removed as sponsor: Atkinson**