

SENATE BILL 2580

By Yager

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 and 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.