

By: Marquez

H.B. No. 3762

A BILL TO BE ENTITLED

AN ACT

relating to creating a transparent and deliberative process by which execution procedures are determined.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 43.14 of the Texas Code of Criminal Procedure is amended to read as follows:

Tex. Code Crim. Proc. Art 43.14 Execution of Convict. Whenever the sentence of death is pronounced against a convict, the sentence shall be executed at any time after the hour of 6 pm. On the day set for the execution, by intravenous injection of a substance or substances in a lethal quantity sufficient to cause death and until such convict is dead, ~~such execution procedure to be determined and supervised by the director of the correctional institutions division of the Texas Department of Criminal Justice~~ such execution procedure is to be determined at an open meeting by the Texas Board of Criminal Justice in accordance with chapter 2001 of the Government Code. The implementation of such procedures shall be supervised by the director of the correctional institutions division of the Texas Department of Criminal Justice. The director shall notify the inmate and his attorney, in writing, of the lethal substance or substances to be used, and the source for and expiration date of same, no less than 30 days before the scheduled execution.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2011.