

2 **SB 5151** - S AMD
3 By Senator Hayner

4 ADOPTED 2/10/92

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 10.95.180 and 1986 c 194 s 1 are each amended to read
8 as follows:

9 (1) For any defendant sentenced to death for a crime committed
10 before the effective date of this act, the punishment of death shall be
11 supervised by the superintendent of the penitentiary and shall be
12 inflicted ((either by hanging by the neck or, at the election of the
13 defendant,)) by intravenous injection of a substance or substances in
14 a lethal quantity sufficient to cause death and until the defendant is
15 dead, or at the election of the defendant by hanging by the neck until
16 the defendant is dead. In any case, death shall be pronounced by a
17 licensed physician.

18 (2) For any defendant sentenced to death for a crime committed on
19 or after the effective date of this act, the punishment of death shall
20 be supervised by the superintendent of the penitentiary and shall be
21 inflicted by intravenous injection of a substance or substances in a
22 lethal quantity sufficient to cause death and until the defendant is
23 dead. In the event execution by lethal injection is held invalid or
24 unconstitutional by a court of competent jurisdiction, the method of
25 execution shall be hanging by the neck until the defendant is dead.

26 (3) All executions, for both men and women, shall be carried out
27 within the walls of the state penitentiary.

28 (4) If any provision of this section or its application to any

1 person is held invalid, the remainder of this section, or the
2 application of the provision to other persons or circumstances, is not
3 affected."

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7 On page 1, line 1 of the title, after "execution" strike "and" and
8 after "10.95.180" insert "; and prescribing penalties"