

HB 1409 -- COMMISSION ON LETHAL INJECTION ADMINISTRATION

SPONSOR: Rizzo

This bill establishes a Commission on Lethal Injection Administration within the Office of Administration. The commission must:

(1) Consist of 11 members including two members from the House of Representatives, with one from each party; two members from the Senate, with one from each party; a county prosecutor appointed by the Missouri Association of Prosecuting Attorneys; a criminal defense attorney appointed by the Missouri Association of Criminal Defense Lawyers; the State Public Defender or his or her designee; the Attorney General or his or her designee; two treating physicians appointed by the State Board of Registration for the Healing Arts; and a pharmacist appointed by the Missouri Board of Pharmacy;

(2) Represent a cross-section of the scientific, medical, law enforcement, and legal communities;

(3) Be appointed and staffed on or before 10 days after enactment of this section;

(4) Elect a chair and be assisted in its work by the staff of the Missouri Supreme Court; the personnel and staff of the Missouri Board of Pharmacy and the State Board of Registration for the Healing Arts within the Department of Insurance Financial Institutions and Professional Registration; and state public universities as requested by the commission;

(5) Hold public hearings in Jefferson City, calling witnesses to testify and allowing other interested citizens to comment on issues relevant to lethal injection in Missouri;

(6) Study all aspects of lethal injection administration in the state and review and analyze all cases in which lethal injection was challenged, the legality of obtaining the drugs to carry out executions by lethal injection, and the efficacy and safety of the drugs used to carry out executions by lethal injection;

(7) Review Missouri's lethal injection procedures and protocols and how the procedures and protocols are administered by the Department of Corrections;

(8) Make findings and recommendations as to how the administration of the procedures and protocols may be revised;

(9) Authorizes the commission to meet as often as necessary, but not fewer than four times, and submit its preliminary report no later than November 3, 2014;

(10) Requires the commission to submit its final report to the Speaker of the House of Representatives, the President Pro Tem of the Senate, the Governor, and the Department of Corrections no later than December 15, 2014; and

(11) Requires that until the commission issues its final report of findings and recommendations and appropriate revisions to the procedures and protocols of the Department of Corrections are adopted and implemented, no executions can be carried out, no further death penalty warrants can be signed, and all currently scheduled executions must be stayed.

These provisions will expire on December 31, 2014.

The bill contains an emergency clause.