

AN ACT

ENTITLED, An Act to repeal the requirement for physician involvement in the execution of a sentence of death by eliminating certain specified roles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 23A-27A-34 be amended to read as follows:

23A-27A-34. The warden of the penitentiary shall request, by at least two days' previous notice, the presence of the attorney general, the trial judge before whom the conviction was had or the judge's successor in office, the state's attorney and sheriff of the county where the crime was committed, and not more than ten reputable adult citizens, including at least one member of the news media, to be selected by the warden at the execution. The warden shall arrange for the attendance of any prison guards and law enforcement officers the warden deems proper.

Section 2. That § 23A-27A-38 be repealed.

Section 3. That § 23A-27A-39 be amended to read as follows:

23A-27A-39. The body of the defendant, unless claimed by some relative, shall be interred in a cemetery within the county where the penitentiary is situated.

Section 4. That § 23A-27A-40 be amended to read as follows:

23A-27A-40. The warden or prison officer attending the execution and in charge of the execution shall immediately prepare and sign a certificate and return setting forth the time, place, and manner of the execution, and that the defendant was executed in conformity to the judgment of the court and the provisions of this chapter. The warden or prison officer shall sign the certificate and return and shall also procure the same to be signed by all the persons present and witnessing the execution and shall file the certificate within ten days after the execution in the office of the clerk of the court where the trial and conviction of the defendant took place.

An Act to repeal the requirement for physician involvement in the execution of a sentence of death by eliminating certain specified roles.

I certify that the attached Act
originated in the

HOUSE as Bill No. 1160

Chief Clerk

Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1160
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State