

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

4 By: Representative Wooldridge

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For An Act To Be Entitled

8 "AN ACT TO CHANGE THE METHOD OF EXECUTION OF THE DEATH
9 SENTENCE IN ARKANSAS TO BE BY PUBLIC HANGING; AND FOR
10 OTHER PURPOSES."

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Subtitle

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. The punishment of death shall hereafter be administered by
20 the hanging of the defendant by the neck until the defendant's death is
21 pronounced according to accepted standards of medical practice.

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23 SECTION 2. The hanging shall take place in public on the grounds of
24 the county courthouse in the county where the crime occurred that resulted in
25 the pronouncement of the death penalty.

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27 SECTION 3. The hanging shall occur within ten (10) days after the
28 adjudication of guilt becomes final.

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30 SECTION 4. The provisions of this act shall apply only to capital
31 offenses committed after the effective date of this act, and nothing
32 contained in the provisions of this act shall be construed to alter in any
33 manner the execution of a sentence of death imposed on account of any crimes
34 committed prior to the effective date of this act.

35

A Bill

HOUSE BILL

1307

1 SECTION 5. All references in the laws of the State of Arkansas relating
2 to execution by electrocution or by lethal injection shall, in so far as such
3 provisions are applicable, apply to and mean, execution by public hanging,
4 except as to capital offenses committed prior to the effective date of this
5 act.

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7 SECTION 6. If the execution of the sentence of death by public hanging
8 is held unconstitutional by an appellate court of competent jurisdiction,
9 then the sentence of death shall be carried out by electrocution in a manner
10 determined by the Director of the Department of Correction.

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12 SECTION 7. All provisions of this act of general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 8. If any provisions of this act or the application thereof to
17 any person or circumstance is held invalid, the invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provisions or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 9. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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