

431.218 Date of execution of condemned -- Copy of mandate to proper officer.

When a judgment sentencing the defendant to death has been affirmed, the mandate shall fix the day of the execution as the fifth Friday following the date of the mandate of the court. The clerk of the Supreme Court shall transmit either by special messenger or by certified mail, return receipt requested, a certified copy of the mandate to the proper officer which shall be the authority of such officer to carry the mandate into effect. The officer receiving the copy shall report his action both to the governor and to the circuit court. If from any cause the execution does not take place on the day appointed in the mandate, the governor may from time to time appoint another day for execution until the sentence is carried into effect.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 114, sec. 105, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 62, sec. 126. -- Amended 1974 Ky. Acts ch. 315, sec. 86. -- Created 1962 Ky. Acts ch. 234, sec. 45.