

431.220 Execution of death sentence.

- (1) (a) Except as provided in paragraph (b) of this subsection, every death sentence shall be executed by continuous intravenous injection of a substance or combination of substances sufficient to cause death. The lethal injection shall continue until the prisoner is dead.
- (b) Prisoners who receive a death sentence prior to March 31, 1998, shall choose the method of execution described in paragraph (a) of this subsection or the method of execution known as electrocution, which shall consist of passing through the prisoner's body a current of electricity of sufficient intensity to cause death as quickly as possible. The application of the current shall continue until the prisoner is dead. If the prisoner refuses to make a choice at least twenty (20) days before the scheduled execution, the method shall be by lethal injection.
- (2) All executions of the death penalty by electrocution or lethal injection shall take place within the confines of the state penal institution designated by the Department of Corrections, and in an enclosure that will exclude public view thereof.
- (3) No physician shall be involved in the conduct of an execution except to certify cause of death provided that the condemned is declared dead by another person.

Effective: March 31, 1998

History: Amended 1998 Ky. Acts ch. 220, sec. 1, effective March 31, 1998. -- Amended 1992 Ky. Acts ch. 211, sec. 84, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 331, sec. 51, effective July 15, 1986. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1137-1