

## Session 125 - (2023-2024)

### S\*0120 (Rat #0025, Act #0016 of 2023) General Bill, By Hembree, Campsen and Martin

#### Summary: Executions

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-580, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL, TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO VIOLATES CERTAIN PROVISIONS OF THIS SECTION, TO MAKE TECHNICAL CHANGES, TO PROVIDE THE PURCHASE OR ACQUISITION OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE, TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY IS EXEMPT FROM ALL STATE LICENSING PROCESSES AND REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY, TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING, MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, THE BOARD OF PHARMACY, OR ANY OTHER STATE AGENCY UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED IN THE ADMINISTRATION OF THE DEATH PENALTY, TO PROVIDE THE COMPTROLLER GENERAL AND STATE TREASURER SHALL WORK WITH THE DEPARTMENT OF CORRECTIONS TO ENSURE CERTAIN FINANCIAL RECORDS RELATING TO AN EXECUTION ARE KEPT IN A DE-IDENTIFIED CONDITION, TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE ABSOLUTE CONFIDENTIALITY OF IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE, TO PROVIDE THE DEPARTMENT OF CORRECTIONS SHALL COMPLY WITH FEDERAL REGULATIONS REGARDING THE IMPORTATION OF EXECUTION DRUGS, AND TO PROVIDE MEMBERS OF THE GENERAL ASSEMBLY MUST NOT OFFER NOR PROVIDE DRUGS, MEDICAL SUPPLIES, OR MEDICAL EQUIPMENT TO EXECUTE A DEATH SENTENCE. - RATIFIED TITLE

11/30/22	Senate	Prefiled
11/30/22	Senate	Referred to Committee on Corrections and Penology
01/10/23	Senate	Introduced and read first time (Senate Journal-page 67)
01/10/23	Senate	Referred to Committee on Corrections and Penology (Senate Journal-page 67)
02/02/23	Senate	Committee report: Favorable with amendment Corrections and Penology (Senate Journal-page 11)
02/06/23		Scrivener's error corrected
02/21/23	Senate	Special order, set for February 21, 2023 (Senate Journal-page 25)
02/22/23	Senate	Committee Amendment Adopted
02/22/23	Senate	Amended (Senate Journal-page 34)
02/22/23	Senate	Read second time (Senate Journal-page 34)
02/22/23	Senate	Roll call Ayes-39 Nays-5 (Senate Journal-page 34)
02/23/23	Senate	Read third time and sent to House (Senate Journal-page 32)
02/27/23		Scrivener's error corrected
02/28/23	House	Introduced and read first time (House Journal-page 10)
02/28/23	House	Referred to Committee on Judiciary (House Journal-page 10)
03/09/23	House	Committee report: Favorable with amendment Judiciary (House Journal-page 2)
03/13/23		Scrivener's error corrected
03/28/23	House	Requests for debate-Rep(s). Jordan, Hiott, Ligon, Kirby, B Newton, MM Smith, BL Cox, McDaniel, White, Wheeler (House Journal-page 45)
03/29/23	House	Debate adjourned (House Journal-page 95)
04/05/23	House	Debate adjourned (House Journal-page 164)
04/06/23	House	Debate adjourned (House Journal-page 44)
04/19/23	House	Amended (House Journal-page 13)
04/19/23	House	Read second time (House Journal-page 13)

04/19/23 House Roll call Yeas-75 Nays-21 (House Journal-page 20)  
04/20/23 House Read third time and returned to Senate with amendments (House Journal-page 20)  
04/20/23 House Roll call Yeas-80 Nays-22 (House Journal-page 20)  
04/21/23 Scrivener's error corrected  
05/04/23 Senate Concurred in House amendment and enrolled (Senate Journal-page 42)  
05/04/23 Senate Roll call Ayes-32 Nays-6 (Senate Journal-page 42)  
05/11/23 Ratified R 25  
05/12/23 Signed By Governor  
05/12/23 Effective date 05/12/23  
05/12/23 Act No. 16