

## Chapter 19 The Execution

### Part 1 Judgment Provisions

#### **77-19-1 Judgment for fine or costs -- Enforcement.**

If the judgment is for a fine or costs when allowed by statute and the fine is not paid as ordered by the court, execution or garnishment may be issued as on a judgment in a civil action. The prosecuting attorney, upon written request of the court clerk, shall effectuate collection through execution or garnishment when the fine or costs have not been paid as ordered by the court.

Enacted by Chapter 15, 1980 General Session

#### **77-19-2 Judgment of imprisonment -- Commitment.**

If the judgment is for imprisonment, the sheriff of the county or other appropriate custodial officer designated by the court shall, upon receipt of a certified copy of the judgment, deliver the defendant to the warden of the state prison or keeper of the jail. Such custodial officer shall also deliver a certified copy of the judgment and take a receipt from the warden or keeper of the jail for the defendant and return it to the court.

Enacted by Chapter 15, 1980 General Session

#### **77-19-3 Special release from city or county jail -- Purposes.**

- (1) Any person incarcerated in any city or county jail may, in accordance with the release policy of the facility, be released from jail during those hours which are reasonable and necessary to accomplish any of the purposes under Subsection (2) if:
  - (a) the offense is not one for which release is prohibited under state law; and
  - (b) the judge has not entered an order prohibiting a special release.
- (2) The custodial authority at the jail may release an inmate who qualifies under Subsection (1) for:
  - (a) working at his employment;
  - (b) seeking employment;
  - (c) attending an educational institution;
  - (d) obtaining necessary medical treatment; or
  - (e) any other reasonable purpose as determined by the custodial authority of the jail.

Amended by Chapter 148, 2007 General Session

#### **77-19-4 Special release from city or county jail -- Conditions and limitations.**

- (1) All released prisoners under Section 77-19-3 are in the custody of the custodial authority and are subject at any time to being returned to jail, for good cause.
- (2) The judge may order that the prisoner:
  - (a) pay money earned from employment during the jail term to those persons he is legally responsible to support; or
  - (b) retain sufficient money to pay his costs of transportation, meals, and other incidental and necessary expenses related to his special release.
- (3) The custodial authority of the jail shall establish all other conditions of special release.

- (4) During all hours when the prisoner is not serving the function for which he is awarded release time, he shall be confined to jail.
- (5) The prisoner shall obtain his own transportation to and from the place where he performs the function for which he is released.

Amended by Chapter 148, 2007 General Session

Amended by Chapter 306, 2007 General Session

**77-19-5 Special release from city or county jail -- Revocation.**

The judge may, for good cause, revoke any release time previously awarded, and shall notify the prisoner that, if the prisoner makes written request, a hearing shall be afforded to the prisoner to challenge the revocation.

Amended by Chapter 302, 2025 General Session

**77-19-6 Sentence of death -- Warrant -- Delivery of warrant -- Determination of execution time.**

- (1)
  - (a) When a judgment of death is rendered for a defendant, the sentencing court shall:
    - (i) immediately transmit a statement of the conviction and sentence and a summary of the evidence given at trial to the Board of Pardons and Parole; and
    - (ii) draw and deliver a warrant, signed by the judge and attested by the clerk under seal of the court, to the sheriff of the county where the conviction occurred.
  - (b) The sheriff shall deliver the warrant and a certified copy of the judgment to the executive director of the Department of Corrections, or the executive director's designee, at the time of delivering the defendant to the custody of the Department of Corrections.
- (2)
  - (a) Subject to Subsection (2)(b), the warrant shall state the conviction, the sentence, the method of execution, and the day on which the sentence is to be executed.
  - (b) The day on which a sentence is to be executed may not be:
    - (i) sooner than 30 days after, or later than 60 days after, the day on which the sentencing court issues the warrant; or
    - (ii) a Sunday, Monday, or a legal holiday under Section 63G-1-301.
- (3) The Department of Corrections shall determine the hour, within the appointed day, at which the sentence is to be executed.

Amended by Chapter 345, 2026 General Session

**77-19-8 Sentence of death, when suspended, and by whom.**

- (1) Except as provided in this section, a court, tribunal, or officer, other than the governor or the Board of Pardons and Parole, may not stay or suspend the execution of a sentence of death.
- (2) A court may only stay the execution of a sentence of death as described in Utah Rules of Criminal Procedure, Rule 27.
- (3)
  - (a) The executive director of the Department of Corrections, or the executive director's designee, may temporarily suspend the execution of a sentence of death under Section 77-19-202 if the individual sentenced to death appears to be incompetent or pregnant.

- (b) A temporary suspension under Subsection (3)(a) shall end if the individual is determined to be:
  - (i) competent;
  - (ii) not pregnant; or
  - (iii) no longer incompetent or pregnant.
- (4) If a stay is vacated or expires before the day on which the sentence is to be executed and the sentence remains in force, the issuance of a new order of execution and warrant is not required to execute the sentence.

Amended by Chapter 345, 2026 General Session

**77-19-9 Sentence of death not executed -- Order for execution.**

- (1) If for any reason a sentence of death has not been executed and remains in force, the attorney general, or the county or district attorney in the county or district in which the conviction occurred, may apply for an order of execution from the court in which the conviction occurred.
- (2)
  - (a) Within 21 days after the application is filed, the court shall:
    - (i) subject to Subsections (2)(b) and (c), enter an order requiring the executive director of the Department of Corrections, or the executive director's designee, to ensure that the sentence is executed on a specified day if no legal reason exists against the execution of a sentence for death; and
    - (ii) draw and deliver another warrant for the execution of the sentence for death in accordance with Section 77-19-6.
  - (b) Except as provided in Subsection (2)(c), the specified day described in Subsection (2)(a)(i) may not be:
    - (i) sooner than 30 days after, or later than 60 days after, the day on which the court enters the order for execution; or
    - (ii) a Sunday, Monday, or legal holiday under Section 63G-1-301.
  - (c) If the defendant seeks review of a finding of competency by the Supreme Court and the Supreme Court does not set the finding of competency aside, the specified day described in Subsection (2)(a)(i) may not be:
    - (i) sooner than 15 days after, or later than 30 days after, the day on which the court enters the order for execution; and
    - (ii) a Sunday, Monday, or legal holiday under Section 63G-1-301.
  - (d) No legal reason exists under Subsection (2)(a)(i) if:
    - (i) there is no stay in effect for the sentence; and
    - (ii) there is no procedural defect in the warrant application process.
- (3) The Department of Corrections shall determine the hour, within the specified day, at which the sentence is to be executed.

Amended by Chapter 345, 2026 General Session

**77-19-10 Sentence of death -- Location and procedures for execution.**

- (1) The executive director of the Department of Corrections, or the executive director's designee, shall ensure that the method of a sentence of death specified in the warrant or as required under Section 77-18-113 is carried out at a secure correctional facility operated by the department and at an hour determined by the department on the date specified in the warrant.

- (2) When the sentence of death is to be carried out by lethal intravenous injection, the executive director of the department or a designee shall select two or more persons trained in accordance with accepted medical practices to administer intravenous injections, who shall each administer a continuous intravenous injection, consisting of one or more substances of a type and amount that is sufficiently effective to cause death without a substantial risk of severe pain.
- (3) If the sentence of death is to be carried out by firing squad under Subsection 77-18-113(2), (3), or (4) the executive director of the department or a designee shall select a five-person firing squad of peace officers.
- (4) Compensation for persons administering intravenous injections and for members of a firing squad under Subsection 77-18-113(2), (3), or (4) shall be in an amount determined by the director of the Division of Finance.
- (5) Death under this section shall be certified by a physician.
- (6) The department shall adopt and enforce rules governing procedures for the execution of sentences of death.

Amended by Chapter 345, 2026 General Session

**77-19-11 Who may be present -- Photographic and recording equipment.**

- (1) As used in this section:
  - (a) "Close relative of the deceased victim" means:
    - (i) the spouse of the victim;
    - (ii) a parent or stepparent of the victim;
    - (iii) a brother, sister, stepbrother, stepsister, child, or stepchild of the victim; and
    - (iv) any person who had a close relationship with the deceased victim, or with a close relative of the victim, upon the recommendation of the victim assistance coordinator for the Department of Corrections or for the Office of the Attorney General.
  - (b) "Director" means the executive director of the Department of Corrections, or the director's designee.
- (2) At the discretion of the director, the following persons may attend the execution:
  - (a) the prosecuting attorney, or a designated deputy, of the county in which the defendant committed the offense for which the defendant is being executed;
  - (b) no more than two law enforcement officials from the county in which the defendant committed the offense for which the defendant is being executed;
  - (c) the attorney general or a designee;
  - (d) religious representatives, friends, or relatives designated by the defendant, not exceeding a total of five persons; and
  - (e) unless approved by the director, no more than five close relatives of the deceased victim, as selected by the director, but giving priority in the order listed in Subsection (1)(a).
- (3) The persons listed in Subsection (2) may not be required to attend, nor may any of them attend as a matter of right.
- (4) The director shall permit the attendance at the execution of members of the press and broadcast news media:
  - (a) as named by the director in accordance with rules of the department; and
  - (b) with the agreement of the selected news media members that they serve as a pool for other members of the news media.
- (5)
  - (a) Except as provided in Subsection (5)(b), photographic or recording equipment is not permitted at the execution site until the execution is completed, the body is removed, and the site has

been restored to an orderly condition. However, the physical arrangements for the execution may not be disturbed.

- (b) Audio recording equipment may be used by the department for the purpose of recording the defendant's last words.
- (c) The department shall permanently destroy the recording made under Subsection (5)(b) not later than 24 hours after the completion of the execution.
- (d) A violation of this subsection is a class B misdemeanor.
- (6) All persons in attendance are subject to reasonable search as a condition of attendance.
- (7)
  - (a) The following persons may also attend the execution:
    - (i) staff as determined by the director; and
    - (ii) no more than three correctional officials from other states that are preparing for executions, but no more than two correctional officials may be from any one state, as designated by the director.
  - (b) A person younger than 18 years old may not attend.
- (8) The department shall adopt rules governing the attendance of persons, including the number of media representatives, at the execution. These rules shall be in accordance with this section.

Amended by Chapter 302, 2025 General Session

#### **77-19-12 Return upon death warrant.**

After the execution, the executive director of the Department of Corrections or the executive director's designee shall make a return upon the death warrant, showing the time, place, and manner in which it was executed.

Amended by Chapter 302, 2025 General Session

## **Part 2 Issues Of Pregnancy And Competency For Execution**

#### **77-19-201 Definitions for part.**

As used in this part:

- (1) "Incompetent to be executed" means that, due to a mental condition, the individual sentenced to death lacks a rational understanding that the individual is to be executed as punishment for the individual's commission of the crime of murder.
- (2) "Sentencing court" means the court in which the sentence of death was rendered.

Repealed and Re-enacted by Chapter 345, 2026 General Session

#### **77-19-202 Notification of pregnancy or incompetency of inmate sentenced to death.**

- (1) As used in this section, "executive director" means the executive director, or the executive director's designee, of the Department of Corrections.
- (2) The executive director shall immediately give written notice to the sentencing court, the prosecuting attorney, the attorney general, and defense counsel for an inmate if:
  - (a) the inmate has been sentenced to death;
  - (b) all state and federal appeals or review attacking the sentence have been exhausted;

- (c) an active warrant for execution has been signed and an execution date has been set as described in Sections 77-19-6 and 77-19-9; and
  - (d) the executive director has good reason to believe that:
    - (i) the inmate is pregnant; or
    - (ii) the inmate's competency to be executed under this chapter should be addressed by the sentencing court.
- (3) If the sentencing court receives a notice under Subsection (2) that there is good reason for the sentencing court to address an inmate's competency to be executed, the sentencing court shall order that the mental condition of the inmate be examined under the provisions of Section 77-19-204, including holding a hearing at which the state and the inmate may appear as parties.

Repealed and Re-enacted by Chapter 345, 2026 General Session

**77-19-202.5 Procedures for pregnant inmate sentenced to death.**

- (1) If the sentencing court finds that an inmate sentenced to death is pregnant, the sentencing court shall immediately transmit a certificate of the finding to the Department of Corrections and the Board of Pardons and Parole.
- (2) When the sentencing court finds that an inmate sentenced to death is no longer pregnant, the sentencing court shall:
  - (a) immediately transmit a certificate of the finding to the Board of Pardons and Parole; and
  - (b) except as provided in Subsection 77-18-8(4), draw and deliver another warrant in accordance with Section 77-19-6, with a copy of the certificate of the finding.
- (3)
  - (a) Subject to Subsection (3)(b), the warrant shall state the day on which the sentence is to be executed.
  - (b) The day on which the sentence is executed may not be:
    - (i) sooner than 30 days after, or later than 60 days after, the day on which the sentencing court issues the warrant; or
    - (ii) a Sunday, Monday, or legal holiday under Section 63G-1-301.

Enacted by Chapter 345, 2026 General Session

**77-19-203 Petition for inquiry as to competency to be executed -- Filing -- Contents.**

- (1) If an inmate who has been sentenced to death is or becomes incompetent to be executed, a petition under Subsection (2) may be filed in the district court of the county where the inmate is confined.
- (2) The petition shall:
  - (a) contain a certificate stating that it is filed in good faith and on reasonable grounds to believe the inmate is incompetent to be executed; and
  - (b) contain a specific recital of the facts, observations, and conversations with the inmate that give rise to the belief that the inmate may not be competent to be executed.
- (3) The petition may be:
  - (a) based upon knowledge or information and belief; and
  - (b) filed by the inmate alleged to be incompetent, legal counsel for the inmate, or by an attorney representing the state.
- (4)

- (a) A petition for an examination of the inmate that is filed fewer than 21 days before the day on which the inmate is scheduled to be executed is untimely.
- (b) A court may not consider a petition that is untimely under Subsection (4)(a) unless the petition is accompanied by:
  - (i) at least one affidavit from a licensed physician or licensed psychologist who has examined the inmate and determined that, in the physician's or psychologist's opinion, the inmate is not competent to proceed; and
  - (ii) a statement that establishes good cause for the failure to file a petition for examination in a timely manner.
- (5) Before ruling on a petition filed by an inmate or the inmate's counsel alleging that the inmate is incompetent to be executed, the court shall give the state and the Department of Corrections an opportunity to respond to the allegations of incompetency.
- (6) The court shall prioritize any proceeding regarding the examination of the inmate for competency to be executed so that the proceeding is completed before the scheduled execution date.

Amended by Chapter 345, 2026 General Session

**77-19-203.5 Successive petitions on competency of an inmate sentenced to death.**

- (1) If a petition described in Section 77-19-203 is filed after an inmate has previously been found competent to be executed under this part, the court may not grant a hearing on the competency to be executed unless the successive petition:
  - (a) alleges with specificity a substantial change of circumstances after the previous finding of competency by the court;
  - (b) is sufficient to raise a significant question about the inmate's competency to be executed; and
  - (c) is accompanied by at least one affidavit from a licensed physician or licensed psychologist who has:
    - (i) examined the inmate after the previous finding of competency by the court; and
    - (ii) determined, in the physician's or psychologist's opinion, that the inmate is not competent to be executed due to a substantial change in circumstances.
- (2) An affidavit described in Subsection (1)(c):
  - (a) shall contain new and specific facts that support the opinion of the licensed physician or licensed psychologist; and
  - (b) does not meet the requirements of Subsection (1)(c) if any of the new facts described in Subsection (2)(a) were known to the defense before the previous finding of the court that the inmate was competent to be executed.
- (3) In determining whether a successive petition involves a substantial change of circumstances under Subsection (1)(a) and raises a significant question under Subsection (1)(b), the court may consider evidence given by the state in opposition to the petition.

Enacted by Chapter 345, 2026 General Session

**77-19-204 Order for hearing -- Examinations of inmate -- Scope of examination and report.**

- (1) A court shall order the Department of Health and Human Services to immediately examine an inmate sentenced to death and report to the court concerning the inmate's mental condition if:
  - (a) the court receives notice of a good reason to address the inmate's incompetency to be executed under Section 77-19-202;

- (b) a petition is filed with the court that complies with Section 77-19-203 and the court has good reason to believe the inmate may be incompetent to be executed; or
  - (c) a successive petition is filed with the court that complies with Section 77-19-203.5 and the court has a significant question about the inmate's competency to be executed.
- (2)
- (a) The inmate subject to examination under Subsection (1) shall be examined by at least two mental health experts who are not involved in the inmate's current treatment.
  - (b) The Department of Corrections shall provide information and materials to the examiners relevant to a determination of the inmate's competency to be executed.
  - (c) The court may provide, in the court's order appointing examiners, that a custodian of mental or physical health records pertaining to the inmate shall provide the mental or physical health records to the examiners without the need for consent of the defendant or any further order of the court.
- (3) The inmate shall make himself or herself available and fully cooperate in the examination by the Department of Health and Human Services and any other independent examiners for the defense or the state.
- (4) An examiner shall in the conduct of the examiner's examinations and in the examiner's reports to the court consider and address, in addition to any other factors determined to be relevant by the examiner:
- (a) the inmate's awareness of the fact of the inmate's impending execution;
  - (b) the inmate's understanding that the inmate is to be executed for the crime of murder;
  - (c) the nature of the inmate's mental disorder, if any, and its relationship to the factors relevant to the inmate's competency; and
  - (d) whether psychoactive medication is necessary to maintain or restore the inmate's competency.
- (5)
- (a) An examiner who is examining the inmate shall provide a report to the court and the attorneys for the state and the inmate within 30 days after the day on which the examiner received the court's order for an examination of the inmate.
  - (b) The report described in Subsection (5)(a) shall inform the court of the examiner's opinion concerning the competency of the inmate to be executed.
- (6)
- (a) All interviews with the inmate conducted by the examiners shall be videotaped, unless otherwise ordered by the court for good cause shown.
  - (b) The Department of Corrections shall provide the videotaping equipment and facilitate the videotaping of the interviews.
  - (c) Immediately following the videotaping, the videotape shall be provided to the attorney for the state, who shall deliver the videotape as soon as practicable to the court in whose court the competency determination is pending.
  - (d) The court shall grant counsel for the state and for the inmate, and an examiner who is examining the inmate under this part access to view the videotape at the court building where the court is located that is conducting the competency determination under this part.
- (7) Any written report submitted by an examiner shall:
- (a) identify the specific matters referred for evaluation;
  - (b) describe the procedures, techniques, and tests used in the examination and the purpose or purposes for each;

- (c) state the examiner's clinical observations, findings, and opinions on each issue referred for examination by the court, and indicate specifically those issues, if any, on which the examiner could not give an opinion; and
  - (d) identify the sources of information used by the examiner and present the basis for the examiner's clinical findings and opinions.
- (8)
- (a)
    - (i) When all reports from examiners are received, the court shall set a date for a competency hearing.
    - (ii) The competency hearing shall be held no sooner than five days after, or later than 15 days after, the day on which the reports are received by the court.
  - (b)
    - (i) Any examiner directed by the Department of Health and Human Services to conduct the examination may be subpoenaed to provide testimony at the hearing.
    - (ii) If the examiners are in conflict as to the competency of the inmate, all of them should be called to testify at the hearing if they are reasonably available.
  - (c)
    - (i) The court may call any examiner to testify at the hearing who is not called by the parties.
    - (ii) An examiner called by the court may be cross-examined by counsel for the parties.
- (9)
- (a)
    - (i) An inmate shall be presumed competent to be executed unless the court, by a preponderance of the evidence, finds the inmate incompetent to be executed.
    - (ii) The burden of proof is upon the proponent of incompetency at the hearing.
  - (b) An adjudication of incompetency to be executed does not operate as an adjudication of the inmate's incompetency to give informed consent for medical treatment or for any other purpose.
- (10)
- (a) If the court finds the inmate incompetent to be executed, the court's order shall contain findings addressing each of the factors in Subsections (4)(a) through (d).
  - (b) The order finding the inmate incompetent to be executed shall be:
    - (i) delivered to the Department of Health and Human Services; and
    - (ii) accompanied by:
      - (A) copies of the reports of the examiners filed with the court pursuant to the order of examination, if not provided previously;
      - (B) copies of any of the psychiatric, psychological, or social work reports submitted to the court relative to the mental condition of the inmate; and
      - (C) any other documents made available to the court by either the defense or the state, pertaining to the inmate's current or past mental condition.
  - (c) A copy of the order finding the inmate incompetent to be executed shall be delivered to the Department of Corrections.

Amended by Chapter 345, 2026 General Session

**77-19-204.5 Procedures on finding of competency to be executed.**

- (1) If an inmate is found competent to be executed at any time during a proceeding under this chapter, the court shall immediately transmit a certificate of the findings to the Board of Pardons and Parole and the Department of Corrections.

- (2) Upon a finding that the inmate is competent to be executed:
- (a) any stay imposed by the court is automatically lifted as described in Utah Rules of Criminal Procedure, Rule 27; and
  - (b) except as provided in Subsection 77-19-8(4), the court shall draw and deliver another warrant of execution, with a copy of the certificate of findings, in accordance with Section 77-19-6.

Enacted by Chapter 345, 2026 General Session

**77-19-205 Procedures on finding of incompetency to be executed -- Subsequent hearings -- Notice to attorneys.**

- (1)
- (a)
    - (i) Upon an inmate being found incompetent to be executed after a hearing described in Section 77-19-204:
      - (A) the court shall immediately transmit a certificate of the findings to the Board of Pardons and Parole and the Department of Corrections;
      - (B) if a stay has not been issued by the court, the court shall issue a stay as described in Utah Rules of Criminal Procedure, Rule 27; and
      - (C) the inmate shall receive appropriate mental health treatment.
    - (ii) Appropriate mental health treatment under Subsection (1)(b)(i)(B) does not include the forcible administration of psychoactive medication for the sole purpose of restoring the inmate's competency to be executed.
  - (b) The court shall order the executive director of the Department of Health and Human Services to provide periodic assessments to the court regarding the inmate's competency to be executed.
  - (c) The inmate shall be held in secure confinement, either at the prison or the State Hospital, as agreed upon by the executive director of the Department of Corrections and the executive director of the Department of Health and Human Services.
  - (d) If the inmate remains at the prison, the Department of Health and Human Services shall consult with the Department of Corrections regarding the inmate's mental health treatment.
- (2)
- (a) An examiner designated by the executive director of the Department of Health and Human Services to assess the inmate's progress toward competency may not be involved in the routine treatment of the inmate.
  - (b) An examiner shall each provide a full report to the court and counsel for the state and the inmate within 90 days after the day on which the examiner receives the court's order.
  - (c) If any examiner is unable to complete the assessment within 90 days, that examiner shall provide to the court, the counsel for the state, and the inmate a summary progress report that informs the court that additional time is necessary to complete the assessment, in which case the examiner has up to an additional 90 days to provide the full report, unless the court extends the time for good cause.
  - (d) The full report shall assess:
    - (i) the facility's or program's capacity to provide appropriate treatment for the inmate;
    - (ii) the nature of treatments provided to the inmate;
    - (iii) what progress toward restoration of competency has been made;
    - (iv) the inmate's current level of mental disorder and need for treatment, if any; and
    - (v) the likelihood of restoration of competency and the amount of time estimated to achieve it.

- (3) Upon the court's own motion or upon motion by either party, the court may order the Department of Health and Human Services to appoint additional mental health examiners to examine the inmate and advise the court on the inmate's current mental status and progress toward competency restoration.
- (4)
  - (a) Upon receipt of the full report, the court shall hold a hearing to determine the inmate's current status.
  - (b) At the hearing, the burden of proving that the inmate is competent is on the proponent of competency.
  - (c) Following the hearing, the court shall determine by a preponderance of evidence whether the inmate is competent to be executed.
- (5)
  - (a) If the court determines that the inmate is competent to be executed, the court shall enter findings and shall proceed under Section 77-19-204.5.
  - (b)
    - (i) If the court determines the inmate is still incompetent to be executed:
      - (A) the inmate shall continue to receive appropriate mental health treatment; and
      - (B) the court shall hold hearings no less frequently than at 18-month intervals for the purpose of determining the inmate's competency to be executed.
    - (ii) Continued appropriate mental health treatment under Subsection (1)(b) does not include the forcible administration of psychoactive medication for the sole purpose of restoring the inmate's competency to be executed.
- (6)
  - (a) The court shall be notified if, at any time, the clinical director of the Utah State Hospital or the primary treating mental health professional determines that the inmate has been restored to competency.
  - (b) The court shall conduct a hearing regarding the inmate's competency to be executed within 30 working days of the receipt of the notification under Subsection (6)(a), unless the court extends the time for good cause.
  - (c) The court may order a hearing or rehearing at any time on the court's own motion.
- (7) Notice of a hearing on competency to be executed shall be given to:
  - (a) counsel for the state and for the inmate; and
  - (b) the office of the prosecuting attorney who prosecuted the inmate on the original capital charge.

Amended by Chapter 345, 2026 General Session

**77-19-206 Expenses -- Allocation.**

The Department of Health and Human Services and the Department of Corrections shall each pay 1/2 of the costs of any examination of the inmate conducted pursuant to Sections 77-19-204 and 77-19-205 to determine if an inmate is competent to be executed.

Amended by Chapter 330, 2023 General Session