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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 589
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Abdullahi and A. Miller

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SUMMARY

- Prohibits the state from executing a death sentence by administration of nitrogen gas.

DETAILED ANALYSIS

Prohibition

Existing law allows for alternative execution methods if a person has been sentenced to death and if the execution of a death sentence by lethal injection has been determined to be unconstitutional. Under existing law, the new method must be prescribed by law and must not have been determined to be unconstitutional. The bill adds that the new method must not involve administration of nitrogen gas.¹

Background – execution of death sentence

Under current law, a death sentence must be executed by causing the application to the person, upon whom the sentence was imposed, of a lethal injection of a drug or combination of drugs of sufficient dosage to quickly and painlessly cause death. The application of the drug or drugs must be continued until the person is dead.² Ohio has not executed a death sentence since the July 2018 execution of Robert Van Hook.³

¹ R.C. 2949.22(C).

² R.C. 2949.22(A).

³ 2023 Ohio Capital Crimes Report, Ohio Attorney General Dave Yost, available at ohioattorneygeneral.gov/2023CapitalCrimesReport.

HISTORY

Action	Date
Introduced	05-15-24
