

An Act relating to death sentences; defining term; establishing examination procedures for defendants alleged mentally incompetent to be executed; authorizing filing of motion by certain attorney; providing deadline for filing motion; specifying information to be included in motion; authorizing remand of competency issue to certain trial court; prohibiting consideration of competency until certain date scheduled; requiring certain determination be made upon receipt of remand; authorizing stay of execution by certain court; authorizing denial of motion under certain circumstances; authorizing examination of defendant under certain circumstances; providing statutory reference; requiring consent to state examination; requiring waiver and consent to release certain records; prohibiting consideration of expert evidence upon refusal of examination; requiring certain determinations be made by examiner; directing examiner to provide report to certain persons; requiring court to conduct competency hearing; directing trial court to summon and impanel jury upon request; providing presumption of competency; providing burden of proof required of defendant; requiring stay of execution upon certain finding; requiring periodic reexamination of defendant after issuance of stay; requiring execution of judgment by warden if competency found; directing filing of certain motion upon defendant regaining competency; providing venue for motion and competency hearing; requiring vacation of stay under certain circumstances; requiring setting of execution date; authorizing filing of certain motion due to intervening change; providing definition; specifying procedures to be used upon certain determination; requiring filings be made in good faith; repealing 22 O.S. 2001, Section 1005, which relates to prisoner becoming insane; providing for codification; and providing an effective date.