

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1978

By: Rader

AS INTRODUCED

An Act relating to the State Board of Corrections;
requiring promulgation of rules; establishing
criteria for certain verification process;
authorizing State Board of Corrections to take
certain action; providing for codification; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 549a of Title 57, unless there
is created a duplication in numbering, reads as follows:

A. The State Board of Corrections shall promulgate rules to
establish a verification process before a punishment of death is
executed as provided for in Section 1015 of Title 22 of the Oklahoma
Statutes.

B. The requirements of the verification process established in
subsection A of this section shall include, but not be limited to:

1. A determination that the Department of Corrections has
faithfully adhered to the constitutional mandate against cruel and
unusual punishment pursuant to Article II, Section 9 of the Oklahoma

1 Constitution and the Eighth Amendment to the United States
2 Constitution;

3 2. Confirmation that any medical equipment was purchased from a
4 reputable medical equipment vendor, including a statement from the
5 vendor recognizing the intended use of such equipment and receipt of
6 purchase;

7 3. Confirmation that any Department of Corrections personnel
8 understand and comply with the protocol for executing a punishment
9 of death and are trained accordingly to execute such punishment.
10 Any personnel who desire to opt out of the execution of a punishment
11 of death may make application to the Department of Corrections to
12 not be present during the execution and such application shall be
13 approved by the Director of the Department of Corrections. The
14 Department of Corrections shall not take any adverse employment
15 action against an employee who opts out of being present during an
16 execution;

17 4. If punishment of death shall be carried out by the
18 administration of a lethal quantity of a drug or drugs:

- 19 a. documentation that the administrator of such drug or
20 drugs is properly licensed and certified to perform
21 the administration of such drug or drugs. Such
22 documentation shall include a national criminal
23 history record check as provided for in Section 150.9
24 of Title 74 of the Oklahoma Statutes, and

1 b. confirmation that any such drug or drugs were
2 purchased from a reputable drug vendor, including a
3 statement from the vendor recognizing the intended use
4 of such drug or drugs and receipt of purchase;

5 5. Documentation that the immediate family members of the
6 victim of the crime resulting in the punishment of death are
7 properly informed of the execution date and their right to witness
8 the execution;

9 6. Confirmation that the list of attendees for the execution is
10 accurate and only includes those listed pursuant to subsection D of
11 Section 1015 of Title 22 of the Oklahoma Statutes; and

12 7. Maintenance of an audio and visual recording of the
13 execution of a punishment of death to ensure a functional recording
14 during the entire execution process.

15 C. It is incumbent upon the Board to prevent the execution of a
16 punishment of death if any of the criteria in subsection B of this
17 section is not met.

18 SECTION 2. This act shall become effective November 1, 2026.

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