

HB 561 -- TASK FORCE ON THE DEATH PENALTY

SPONSOR: Rizzo

This bill establishes in the Office of Administration a task force on the death penalty. The task force must consist of: two members from the House of Representatives and two members from the Senate, with each chamber providing one member from each political party; two members of the Missouri Assessment Team on the Death Penalty; a judge; a county prosecutor; a criminal defense attorney, a state public defender; and the Attorney General or his or her designee.

The task force must be appointed and staffed by December 1, 2015. A task force must elect a chairperson and members must serve without compensation, but must be reimbursed for necessary expenses incurred in the work of the task force.

The task force must analyze the 2012 Missouri Death Penalty Assessment Report and its recommendations for promoting greater fairness and accuracy in the application of the death penalty and study the findings of the Death Penalty Proportionality Project conducted by Saint Louis University School of Law. The task force may consider additional appropriate academic information on the subject.

Task force members must identify the changes in policy most critical in preventing wrongful convictions and promoting fairness in the Missouri capital punishment system, and identify the specific legislation, regulation, and other judicial and executive action necessary in constructively addressing any identified deficiencies.

The task force must report its recommendations and legislative remedies regarding the death penalty to the Governor, the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Missouri Supreme Court by January 1, 2018. The task force expires after it issues its report.

Executions of a defendant are prohibited between August 28, 2015, to January 1, 2018. However, during this period, the special procedures in cases of first degree murder provided for in Sections 565.030 to 565.040, RSMo, and any other proceedings related to capital cases, including motions for post-conviction relief, must continue to be operative and proceed as if no such moratorium were in place, except that no day certain for execution can be appointed between August 28, 2015, to January 1, 2018.