

REFERENCE TITLE: death sentence; choice; firing squad

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

## SCR 1049

Introduced by  
Senator Payne

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXII, SECTION 22, CONSTITUTION OF ARIZONA; RELATING TO CAPITAL PUNISHMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of  
2 Representatives concurring:

3 1. Article XXII, section 22, Constitution of Arizona, is proposed  
4 to be amended as follows if approved by the voters and on proclamation of  
5 the Governor:

6 22. Judgments of death

7 Section 22. A. The judgment of death shall be  
8 inflicted by THE DEFENDANT'S CHOICE OF ONE OF THE FOLLOWING:

9 1. FIRING SQUAD.

10 2. Administering an intravenous injection of a  
11 substance or substances in a lethal quantity sufficient to  
12 cause death. ~~except that defendants sentenced to death for~~  
13 ~~offenses committed prior to the effective date of the~~  
14 ~~amendment to this section shall have the choice of either~~  
15 ~~lethal injection or~~

16 3. Lethal gas.

17 B. IF A DEFENDANT DOES NOT CHOOSE A METHOD OF DEATH,  
18 THE DEFAULT METHOD OF DEATH IS LETHAL INJECTION.

19 C. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, DEATH  
20 BY FIRING SQUAD IS THE METHOD OF DEATH FOR A DEFENDANT WHO HAS  
21 MURDERED A LAW ENFORCEMENT OFFICER AND THE DEFENDANT KNEW OR  
22 SHOULD HAVE KNOWN THE LAW ENFORCEMENT OFFICER WAS ACTING IN  
23 THE LAW ENFORCEMENT OFFICER'S LINE OF DUTY.

24 D. IF ANY OPTION IS INVALIDATED BY AN UNAPPEALABLE  
25 COURT ORDER OR IS UNAVAILABLE IN THE STATE AT THE TIME THE  
26 DEFENDANT CHOOSES A METHOD OF DEATH, THE DEFENDANT MAY CHOOSE  
27 FROM OTHER OPTIONS LISTED IN THIS SECTION, AND JUDGMENT OF  
28 DEATH SHALL BE INFLICTED BY ANY LAWFUL MEANS AVAILABLE IF THE  
29 FINAL CHOICE IS UNAVAILABLE.

30 E. The lethal injection or lethal gas shall be  
31 administered under such procedures and supervision as  
32 prescribed by law. DEATH BY FIRING SQUAD SHALL BE CONDUCTED BY  
33 A MINIMUM OF THREE VOLUNTEER SHOOTERS AND WITH THE USE OF ONE  
34 BLANK ROUND. The execution shall take place within the limits  
35 of the state prison.

36 2. The Secretary of State shall submit this proposition to the  
37 voters at the next general election as provided by article XXI,  
38 Constitution of Arizona.