- 1 HB436
- 2 199306-4
- 3 By Representative South
- 4 RFD: State Government
- 5 First Read: 16-APR-19

| 1 | ENGROSSED |
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| 4 | A BILL |
| 5 | TO BE ENTITLED |
| 6 | AN ACT |
| 7 | |
| 8 | Relating to the death penalty; to amend Section |
| 9 | 15-18-83, Code of Alabama 1975, to authorize non-immediate |
| 10 | family members in attendance at an execution under certain |
| 11 | conditions. |
| 12 | BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: |
| 13 | Section 1. Section 15-18-83, Code of Alabama 1975, |
| 14 | is amended to read as follows: |
| 15 | " §15-18-83. |
| 16 | "(a) The following persons may be present at an |
| 17 | execution and none other: |
| 18 | "(1) The executioner and any persons necessary to |
| 19 | assist in conducting the execution. |
| 20 | "(2) The Commissioner of Corrections or his or her |
| 21 | representative. |
| 22 | "(3) Two physicians, including the prison physician |
| 23 | "(4) The spiritual advisor of the condemned. |
| 24 | "(5) The chaplain of Holman Prison. |
| 25 | "(6) Such newspaper reporters as may be admitted by |
| 26 | the warden. |

| 1 | "(7) Any of the relatives or friends of the |
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| 2 | condemned person that he or she may request, not exceeding six |
| 3 | in number. |

- "(8) The immediate family of the victim, over the age of 19, not exceeding eight in number and apportioned equally among the victim's immediate family members. If there are fewer than eight total immediate family members of the victim, additional non-immediate family members of the victim, over the age of 19, not to exceed eight total immediate and non-immediate family members.
- "(9) If there are fewer than six eight total immediate family members of the deceased victim under subdivision (8), additional immediate family members of a victim, for whose death the inmate is not sentenced to death.
- "(b) No convict shall be permitted by the prison authorities to witness the execution."

Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.

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| 3 | House of Representatives |
| 4 5 6 7 8 | Read for the first time and referred to the House of Representatives committee on State Government |
| 9 10 11 | Read for the second time and placed on the calendar 1 amendment 25-APR-19 |
| 12 13 14 | Read for the third time and passed as amended |
| 15 16 17 18 | Jeff Woodard Clerk |