

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

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8 SYNOPSIS: Under existing law, only certain persons may
9 be present at an execution, including up to eight
10 immediate family members of the deceased victim's
11 family.

12 This bill would provide that if there are
13 fewer than six total immediate family members in
14 attendance, non-immediate family members of the
15 deceased victim may be present under certain
16 conditions.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 Relating to the death penalty; to amend Section
23 15-18-83, Code of Alabama 1975, to authorize non-immediate
24 family members in attendance at an execution under certain
25 conditions.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 15-18-83, Code of Alabama 1975,
2 is amended to read as follows:

3 "§15-18-83.

4 "(a) The following persons may be present at an
5 execution and none other:

6 "(1) The executioner and any persons necessary to
7 assist in conducting the execution.

8 "(2) The Commissioner of Corrections or his or her
9 representative.

10 "(3) Two physicians, including the prison physician.

11 "(4) The spiritual advisor of the condemned.

12 "(5) The chaplain of Holman Prison.

13 "(6) Such newspaper reporters as may be admitted by
14 the warden.

15 "(7) Any of the relatives or friends of the
16 condemned person that he or she may request, not exceeding six
17 in number.

18 "(8) The immediate family of the victim, over the
19 age of 19, not exceeding eight in number and apportioned
20 equally among the victim's immediate family members. If there
21 are fewer than eight total immediate family members of the
22 victim, additional non-immediate family members of the victim
23 not to exceed eight total immediate and non-immediate family
24 members.

25 "(9) If there are fewer than ~~six~~ eight total
26 ~~immediate~~ family members of the deceased victim under

1 subdivision (8), additional immediate family members of a
2 victim, for whose death the inmate is not sentenced to death.

3 "(b) No convict shall be permitted by the prison
4 authorities to witness the execution."

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