HB436

199306-2

By Representative South

RFD: State Government

First Read: 16-APR-19
SYNOPSIS: Under existing law, only certain persons may be present at an execution, including up to eight immediate family members of the deceased victim's family.

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

A BILL TO BE ENTITLED AN ACT Relating to the death penalty; to amend Section 15-18-83, Code of Alabama 1975, to authorize non-immediate family members in attendance at an execution under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
Section 1. Section 15-18-83, Code of Alabama 1975, is amended to read as follows:

"§15-18-83.

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

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

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

(3) Two physicians, including the prison physician.

(4) The spiritual advisor of the condemned.

(5) The chaplain of Holman Prison.

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

(7) Any of the relatives or friends of the condemned person that he or she may request, not exceeding six 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 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 (B), 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.