

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

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ENROLLED, 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.

1           "(8) The immediate family of the victim, over the  
2 age of 19, not exceeding eight in number and apportioned  
3 equally among the victim's immediate family members. If there  
4 are fewer than eight total immediate family members of the  
5 victim, additional non-immediate family members of the victim,  
6 over the age of 19, not to exceed eight total immediate and  
7 non-immediate family members.

8           "(9) If there are fewer than ~~six~~ eight total  
9 ~~immediate~~ family members of the deceased victim under  
10 subdivision (8), additional immediate family members of a  
11 victim, for whose death the inmate is not sentenced to death.

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

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

