

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of House Bill No. 1012

CONCERNING VICTIMS' RIGHTS IN CAPITAL PUNISHMENT CASES; AND TO BE KNOWN AS "ANDI'S
LAW".

Amendment No. 1 to House Bill No. 1012

Amend House Bill No. 1012 as engrossed, H1/28/15 (version: 01/28/2015 9:10:32 AM):

Page 2, delete lines 16 through 36

AND

Page 3, delete lines 1 through 15 and substitute the following:

~~"(d)(1)(e)(1) No execution of any~~ An execution of a person convicted
in this state of a capital offense and sentenced to death shall be public,
~~but shall be private. However, the following persons shall be present:~~

~~(2) At the execution there shall be present the director~~
~~or an assistant, the Department of Correction official in charge of medical~~
~~services or his or her designee, and a number of respectable citizens~~
~~numbering not fewer than six (6) nor more than twelve (12) whose presence is~~
~~necessary to verify that the execution was conducted in the manner required~~
~~by law. Counsel for the person being executed and the spiritual adviser to~~
~~the person being executed may be present. Other persons designated by the~~
~~director may be present, but the maximum number of persons at the execution~~
~~shall not exceed thirty (30).~~

(A) The director or an assistant designated by the
director;

(B) The Department of Correction official in charge of
medical services or his or her designee;

(C) No more than six (6) of the following persons related
to a victim of the crime for which the person is being executed if he or she
chooses to be present:

(i) A spouse;

(ii) Any parent or stepparent;

(iii) Any adult sibling or stepsibling; and

(iv) Any adult child or stepchild;

(D) A number of citizens determined by the director, not
fewer than six (6) nor more than twelve (12), whose presence is necessary to
verify that the execution was conducted in the manner required by law;

(E) Counsel for the person being executed if he or she



chooses to be present; and

(F) The spiritual adviser to the person being executed if he or she chooses to be present.

(2) The director may prohibit a person who otherwise would be eligible to witness or view an execution under this subsection if he or she determines the person to be a security risk.

(3) Other persons designated by the director may be present at the execution.

(4) The maximum number of close relatives of the victim either witnessing the execution as a person designated under subdivision (e)(1)(C) or as a person viewing the execution through a closed-circuit audiovisual monitor under subdivision (e)(1)(5) shall not exceed eighteen (18)."

AND

Page 3, line 16, delete "~~(3)(A)(4)(A)~~" and substitute "~~(3)(A)(5)(A)~~"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hester

BPG/LNS - 02-03-2015 09:34:28

BPG240

Secretary