

ENGROSSED HOUSE
BILL NO. 2056

By: Pettigrew, Breckinridge,
Bryant, Crocker, Culver,
Dank, Hilliard, Kirby,
Miller, Perry, Pope
(Tim), Smaligo, Sullivan
(John) and Webb of the
House

and

Douglass, Maddox and
Price of the Senate

An Act relating to criminal procedure; amending 22
O.S. 1991, Section 1015, as amended by Section 2,
Chapter 106, O.S.L. 1992 (22 O.S. Supp. 1995,
Section 1015), which relates to execution of
persons under judgment of death; expanding list of
persons who are to be invited to witness execution;
allowing certain relatives of victims to witness
the execution; requiring that a place be provided
for the relatives to witness the execution;
requiring area to be separate from area to which
other witnesses are admitted; authorizing the use
of closed circuit television system in certain
circumstances; defining term; and declaring an
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 22 O.S. 1991, Section 1015, as amended by Section 2, Chapter 106, O.S.L. 1992 (22 O.S. Supp. 1995, Section 1015), is amended to read as follows:

Section 1015. A. A judgment of death must be executed within the walls of the state prison at McAlester, Oklahoma, said prison to be designated by the court by which judgment is to be rendered.

B. The judgment of execution shall take place at the direction of the warden of said state prison and the warden must be present along with other necessary prison officials at the execution and must invite the presence of a physician and the district attorney, judge who presided at the trial, chief of police of the municipality in which the crime occurred, if applicable, and sheriff of the county wherein the conviction was had, to witness the execution; and he shall, at the request of the defendant, permit the presence of such ministers of the defendant's choice, not exceeding two, and any persons, relatives or friends, not to exceed five, as the defendant may name; provided, reporters from recognized members of the news media will be admitted upon proper identification, application and approval of the warden.

C. A place shall be provided within the walls of the state prison at McAlester so that individuals who are eighteen (18) years of age or older and who are members of the immediate family of any deceased victim of the defendant may witness the execution. The immediate family members shall be allowed to witness the execution from an area that is separate from the area to which other witnesses are admitted. If facilities are not available to provide immediate family members with a direct view of the execution, the Department of Corrections may broadcast the execution by means of a closed circuit television system to the area in which the immediate family members are located.

D. No other person than those mentioned in this section can be present at the execution.

E. As used in this section, "members of the immediate family" means the spouse, a child by birth or adoption, a stepchild, a parent, a grandparent or a sibling of the deceased victim.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 4th day of March, 1996.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate