

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 659, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Delete everything after the enacting clause and insert the following:
- SECTION 1. IC 35-38-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) ~~The~~ **A convicted person male** shall be confined in the state prison until the date of his execution. **A convicted female shall:**
 - (1) be:**
 - (A) confined in a female correctional facility; and**
 - (B) transported to the state prison not more than thirty (30) days before the date of her execution; and**
 - (2) remain segregated from male prisoners while at the state prison.**
- (b) The convicted person's:
 - (1) attorney;
 - (2) physician;
 - (3) relatives;
 - (4) friends; and
 - (5) spiritual advisor;
- may visit ~~him~~ **the convicted person** while ~~he~~ **the convicted person** is confined. The department of correction shall adopt rules, under IC 4-22-2, governing such visits.
- SECTION 2. IC 35-38-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. **(a)** Only the following persons may ~~be present at~~ **view** the execution:
 - (1) The ~~warden~~ **superintendent of the state prison** and any of ~~his~~ **the superintendent's** assistants who are necessary to assist ~~him~~ **the superintendent** in the execution.
 - (2) The prison physician.
 - (3) One (1) other physician.
 - (4) The spiritual advisor of the convicted person.
 - (5) The prison chaplain.
 - (6) Not more than ten (10) friends or relatives of the convicted person who are invited by the convicted person to attend.

||| (b) The superintendent of the state prison may exclude a
||| person from viewing the execution if the superintendent
||| determines, in writing, that the presence of the person would
||| threaten the safety or security of the state prison.

||| (c) The department of correction:
||| (1) shall keep the identities of persons who assist the
||| superintendent of the state prison in an execution
||| confidential; and
||| (2) may:
||| (A) classify as confidential; and
||| (B) withhold from the public;
||| any documents that relate to the performance of an
||| execution.

||| SECTION 3. IC 35-38-6-9 IS AMENDED TO READ AS
||| FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. **Except as provided**
||| **in sections 4 and 10 of this chapter**, the provisions of this chapter in
||| relation to the infliction of the death penalty extend equally, so far as
||| applicable, to the case of any woman convicted and sentenced to death.
||| (Reference is to SB 659 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal, and Civil Procedures.

GARTON Chairperson