

1 HB312
2 116127-2
3 By Representatives Vance, Martin, Thigpen and Boothe
4 RFD: Government Appropriations
5 First Read: 19-JAN-10

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8 SYNOPSIS: This bill would specify that the coroner
9 would be responsible for the storage and
10 transportation of bodies for the purpose of autopsy
11 under certain circumstances and that the office of
12 coroner would be reimbursed for expenses incurred
13 for storage and transportation of bodies to the
14 Department of Forensic Sciences for autopsy by the
15 entity ordering or requesting the autopsy.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 Relating to coroners; to provide that the coroner
22 would store and transport bodies for the purpose of autopsies
23 under certain circumstances; and to provide reimbursement of
24 the expenses incurred for the storage and transfer.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Except where there is an agreement
27 otherwise, the coroner shall be responsible for carrying out

1 the duties required for proper transportation of a body to a
2 forensic sciences laboratory for the purpose of performing an
3 autopsy ordered pursuant to Section 36-18-2, Code of Alabama
4 1975. The coroner shall be responsible for storage of a body
5 prior to transportation to a forensic sciences laboratory when
6 necessary. Upon receipt of an order issued pursuant to Section
7 36-18-2, Code of Alabama 1975, the coroner shall coordinate
8 with the Department of Forensic Sciences regarding the storage
9 and transportation of the body to the forensic sciences
10 laboratory designated by the Department of Forensic Sciences.

11 Section 2. The expenses incurred by the coroner in
12 performing the duties set out herein shall be reimbursed as
13 follows:

14 (1) Except as provided in subdivision (2), if the
15 autopsy is ordered as provided in Section 36-18-2, Code of
16 Alabama 1975, the costs incurred for storage and
17 transportation of the body to a facility operated by the
18 Department of Forensic Sciences for the purpose of performing
19 the autopsy shall be borne by the State of Alabama, paid from
20 funds appropriated for the operating expenses of the entity
21 which ordered the autopsy.

22 (2) If the order for autopsy issued under Section
23 36-18-2, Code of Alabama 1975, has been made in response to a
24 request from a person or entity not authorized to order an
25 autopsy under Section 36-18-2, Code of Alabama 1975, the costs
26 incurred for storage and transportation of the body shall be
27 borne by the person or entity making the request. At the time

1 the order for autopsy is delivered to the coroner, the entity
2 issuing the order shall provide the coroner with sufficient
3 information regarding the person or entity making the request
4 to allow for a statement seeking reimbursement to be submitted
5 to the requestor as provided in Section 3.

6 Section 3. (a) In order to obtain reimbursement of
7 expenses as authorized in this act, the coroner shall itemize
8 the necessary expenses incurred for the storage of the body
9 prior to transportation and for transportation of the body
10 from the county where the deceased died to the designated
11 forensic sciences laboratory. The itemized statement shall be
12 delivered to the county commission by the coroner within 10
13 days of the date the body is delivered to the designated
14 forensic sciences laboratory.

15 (b) Upon receipt of the statement from the coroner,
16 the county commission shall prepare and send an itemized
17 statement for reimbursement of expenses to the person or
18 entity responsible for reimbursement as provided in Section 2.
19 Payment shall be remitted to the county commission by the
20 responsible person or entity within 30 days of the date of
21 receipt of the itemized statement.

22 Section 4. A special fund shall be established in
23 the county treasury for deposit of all reimbursements paid
24 pursuant to this act. The county commission shall maintain the
25 special fund and all monies paid into the account shall be
26 expended only for expenses related to the storage and
27 transportation of bodies for purposes of autopsy as provided,

1 herein. The coroner shall be responsible for providing the
2 county commission itemized statements of all expenses due to
3 be paid for the costs of storage and transportation of bodies
4 as provided in this act. If the coroner has complied with
5 Section 3, the county commission shall pay the expenses from
6 monies deposited in the special fund created in this section.
7 If the coroner has not complied with Section 3, the county
8 commission shall not be responsible for payment of any
9 expenses.

10 Section 5. In the event an autopsy is requested by
11 means other than an order issued pursuant to Section 36-18-2,
12 Code of Alabama 1975, the coroner shall not be responsible for
13 the storage or transportation of the body. The coroner may
14 provide the assistance to the person or entity requesting the
15 autopsy if the person or entity pays all expenses incurred by
16 the coroner prior to the services being rendered. Payment
17 shall be made payable to the special fund created in Section
18 4.

19 Section 6. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.