

1 SB232
2 119662-3
3 By Senator Denton
4 RFD: Governmental Affairs
5 First Read: 14-JAN-10

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to coroners; to provide that the coroner
12 would store and transport bodies for the purpose of autopsies
13 or any other post-mortem examination under certain
14 circumstances; and to provide reimbursement of the expenses
15 incurred for the storage and transfer.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Except where there is an agreement or
18 local law which provides otherwise, the coroner shall be
19 responsible for carrying out the duties required for proper
20 transportation of a body to a forensic sciences laboratory for
21 the purpose of performing an autopsy or any other post-mortem
22 examination ordered pursuant to Section 36-18-2, Code of
23 Alabama 1975. The coroner shall be responsible for storage of
24 a body prior to transportation to a forensic sciences
25 laboratory when necessary. Upon receipt of an order issued
26 pursuant to Section 36-18-2, Code of Alabama 1975, the coroner
27 shall coordinate with the Department of Forensic Sciences

1 regarding the storage and transportation of the body to the
2 forensic sciences laboratory designated by the Department of
3 Forensic Sciences.

4 Section 2. The actual expenses incurred by the
5 coroner in performing the duties set out herein shall be
6 reimbursed as follows: If the autopsy or any other post-mortem
7 examination is ordered as provided in Section 36-18-2, Code of
8 Alabama 1975, the costs incurred for storage and
9 transportation of the body to a facility operated by the
10 Department of Forensic Sciences for the purpose of performing
11 the autopsy or any other post-mortem examination shall be paid
12 by the law enforcement agency, excluding the office of the
13 district attorney or grand jury, with primary jurisdiction
14 over the investigation surrounding the death.

15 Section 3. (a) In order to obtain reimbursement of
16 expenses as authorized in this act, the coroner shall itemize
17 the necessary expenses incurred for the storage of the body
18 prior to transportation and for transportation of the body
19 from its location to the designated forensic sciences
20 laboratory and transportation from the designated forensics
21 laboratory to a designated funeral home or other appropriate
22 location. The itemized statement shall be delivered to the
23 county commission by the coroner within 10 days of the date
24 the body is delivered to the designated forensic sciences
25 laboratory.

26 (b) Upon receipt of the statement from the coroner,
27 the county commission shall prepare and send an itemized

1 statement for reimbursement of expenses to the entity
2 responsible for reimbursement as provided in Section 2.
3 Payment shall be remitted to the county commission by the
4 responsible entity within 30 days of the date of receipt of
5 the itemized statement.

6 Section 4. All payments remitted under this act
7 shall be paid into the county general fund and expended only
8 for expenses related to the storage and transportation of
9 bodies for purposes of autopsy or any other post-mortem
10 examination as provided in this act. The coroner shall be
11 responsible for providing the county commission itemized
12 statements of all expenses due to be paid for the costs of
13 storage and transportation of bodies as provided in this act
14 and upon receipt of an invoice, the county commission shall
15 make timely payment of incurred expenses. If the coroner has
16 complied with Section 3, the county commission shall pay the
17 expenses from monies deposited in the special fund created in
18 this section. If the coroner has not complied with Section 3,
19 the county commission shall not be responsible for payment of
20 any expenses.

21 Section 5. In the event an autopsy or any other
22 post-mortem examination is requested for purposes other than
23 in the course of an investigation, the coroner shall not be
24 responsible for the storage or transportation of the body. The
25 coroner may provide assistance to the person or entity
26 requesting the autopsy or any other post-mortem examination if
27 the person or entity pays all expenses incurred by the coroner

1 prior to the services being rendered. Payment shall be made
2 payable to the county general fund and expended as provided in
3 Section 4.

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

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs 14-JAN-10

Read for the second time and placed on the calen-
dar 19-JAN-10

Read for the third time and passed as amended ... 09-MAR-10

Yeas 29
Nays 0

McDowell Lee
Secretary