

HB544 ENROLLED



1 HB544
2 G33DL26-2
3 By Representative Baker (N & P)
4 RFD: Local Legislation
5 First Read: 08-Apr-25



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1 Enrolled, An Act,

2
3 Relating to Escambia County; to amend Sections
4 45-27-60.01, 45-27-60.02, 45-27-60.03, 45-27-60.04,
5 45-27-60.06, 45-27-60.07, 45-27-60.12, and 45-27-60.15, Code
6 of Alabama 1975; to further provide for the powers, duties,
7 and appointment of the county medical examiner; and to repeal
8 Section 45-27-60.14, Code of Alabama 1975, relating to the
9 compensation of the county medical examiner.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Sections 45-27-60.01, 45-27-60.02,
12 45-27-60.03, 45-27-60.04, 45-27-60.06, 45-27-60.07,
13 45-27-60.12, and 45-27-60.15, Code of Alabama 1975, are
14 amended to read as follows:

15 "§45-27-60.01

16 (a) The ~~county medical examiner~~ Escambia County Medical
17 Examiner shall be a physician licensed to practice medicine in
18 Alabama.

19 (b) The ~~Escambia County Medical Examiner~~ county medical
20 examiner shall be appointed by the ~~senior state medical~~
21 ~~examiner in Region IV of the Alabama Department of Forensic~~
22 ~~Sciences. The appointment shall be made, with the approval of~~
23 ~~the~~ Director of the Alabama Department of Forensic Sciences,
24 from a list of qualified ~~physicians~~ candidates submitted by
25 ~~the Escambia County Medical Society after review by the~~
26 ~~district attorney of the county~~ a nominating committee
27 consisting of all of the following individuals:

28 (1) The Chair of the Escambia County Commission, or his



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or her designee.

(2) The Escambia County District Attorney, or his or her designee.

(3) The Sheriff of Escambia County, or his or her designee.

(4) The Chief Medical Examiner of the Alabama Department of Forensic Sciences, or his or her designee.

(c) The nominating committee shall submit a list to the director at least 90 days before the end of a term.

(d) The appointment shall establish the ~~Escambia County~~ ~~Medical Examiner~~ county medical examiner as a ~~contract~~ ~~employee~~ an agent of the Alabama Department of Forensic Sciences with the same liability coverage as provided to Merit System employees of the State of Alabama.

(e) The county medical examiner shall serve a term of six years beginning the first Monday after the second Tuesday in January in the same manner and cycle as the Escambia County District Attorney.

(f) The first county medical examiner appointed after October 1, 2025, shall serve until the expiration of the current district attorney term on January 20, 2029.

(g) If a vacancy occurs during a term, the Director of the Alabama Department of Forensic Sciences shall appoint an interim county medical examiner within 14 days of the vacancy. The nominating committee shall submit a list to the director within 90 days of the vacancy, after which the director shall make an appointment to serve the remainder of the term.

(h) The Director of the Alabama Department of Forensic



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Sciences may waive the requirement that the county medical examiner be a physician when appointing an interim county medical examiner."

"§45-27-60.02

The Escambia County Medical Examiner ~~shall~~ may appoint one or more assistant county medical examiners to assist the investigation and certification of deaths ~~from the list of qualified physicians provided by the Escambia County Medical Society. Each assistant county medical examiner shall also have approval of the senior medical examiner of Region IV and the Director of the Alabama Department of Forensic Sciences and also shall be a contract employee of the Alabama Department of Forensic Sciences.~~

"§45-27-60.03

The county medical ~~examiners~~ examiner shall complete eight hours of training in death investigation each year. The Department of Forensic Sciences ~~state medical examiners shall~~ may provide the training, ~~or the county medical examiners may attend other training in death investigation with prior approval of the senior medical examiner of Region IV of the Alabama Department of Forensic Sciences. All training shall be approved for continuing medical education credits.~~

"§45-27-60.04

It shall be the duty of the county medical examiner, or designated assistant county medical examiner ~~examiners~~, to investigate any death in Escambia County when the death falls within one or more of the following categories:

(1) Deaths that occur suddenly and unexpectedly, that



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is, when the person has not been under medical care for significant disease of the heart or lung, or other disease.

(2) Deaths suspected to be due to violence, resulting from anyone of the following: Suicide, accident, homicide, or undetermined injury, regardless of when or where the injury occurred.

(3) Deaths suspected to be due to alcohol, or drugs, or exposure to toxic agents.

(4) Deaths due to poisoning.

(5) Deaths of persons in the custody of law enforcement officers or in penal institutions.

(6) Deaths suspected to be involved with the occupation of the decedent.

(7) Deaths unattended by a physician.

(8) Deaths due to neglect.

(9) Any stillbirth of 20 or more weeks gestation unattended by a physician.

(10) Deaths due to criminal abortion.

(11) Any death of an infant or child under 19 years of age where the medical history has not established some preexisting medical condition to clearly explain the death and the preterminal circumstances.

(12) Deaths which are possibly directly or indirectly attributable to environmental exposure not otherwise specified.

(13) Deaths suspected to be caused by infectious or contagious disease wherein the diagnosis and extent of disease at the time are undetermined.



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(14) Deaths occurring under suspicious or unusual circumstances.

(15) When a body is to be cremated, dissected, or buried at sea.

(16) When a body is brought into Escambia County without proper medical certification."

"§45-27-60.06

(a) After investigating a death, if the county medical examiner or ~~the~~ a designated assistant is satisfied that the death was not caused by criminal act or omission and that there are no suspicious circumstances about the death, then the county medical examiner, or designated assistant, may execute a death certificate as required by law, and authorize release of the body for final disposition on a certificate as prescribed by the State Health Department.

(b) The county medical examiner shall contact the office of the district attorney and the State Chief Medical Examiner of the Alabama Department of Forensic Sciences under the following circumstances:

(1) If the deceased is unidentified.

(2) If the county medical examiner suspects a death was caused by a criminal act or omission.

(3) If the cause of death is obscure.

(c) ~~The~~ In the event of a death qualifying under subsection (b), the State Medical Examiner ~~county medical examiner~~ shall further examine the body, take, retain, and examine or have examined whatever tissues, biological fluids, or other evidence from the body that he or she deems necessary



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to determine the cause, manner, or circumstances of death, and the identity of the deceased. The county medical examiner ~~or state medical examiner~~ shall then execute a death certificate, as required by law, and also shall authorize release of the body for final disposition by executing a certificate required by the State Health Department."

"§45-27-60.07

(a) ~~An~~ In compliance with the provisions of Section 36-18-2, an autopsy or postmortem examination may be performed by a state medical examiner at the written direction of the Governor, the Attorney General, a circuit judge, or the Escambia County District Attorney or his or her authorized representative in any case in which the Attorney General or the district attorney is conducting a criminal investigation.

(b) ~~The county~~ A state medical examiner or the State Medical Examiner may authorize an autopsy or postmortem examination, or the autopsy may be performed by ~~the State Medical Examiner~~ a state medical examiner, when the county medical examiner suspects the death ~~was caused by a criminal act or omission, or the cause of death is~~ obscure or, in his or her opinion, an autopsy is advisable and in the public interest.

~~(c) In a death where the county medical examiner does not deem it advisable and in the public interest that an autopsy be performed, but the next of kin of the deceased requests that an autopsy be performed, the State Medical Examiner, or a designated pathologist, may perform the autopsy and the cost therefor shall be paid by the next of kin. The~~



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169 ~~funds paid by the next of kin shall be deposited by the State~~
170 ~~Treasurer into the Forensic Services Trust Fund."~~

171 "§45-27-60.12

172 The county medical examiner shall maintain the reports
173 of death investigations conducted by the Escambia County
174 Medical Examiner and a copy shall be forwarded to the ~~Region~~
175 ~~IV Laboratory of the~~ Alabama Department of Forensic Sciences.
176 These reports, or true copies thereof duly certified by the
177 county medical examiner or the director of the department, are
178 admissible in evidence in any court in Escambia County, with
179 or without testimony by the county medical examiner or
180 Department of Forensic Sciences officials, provided, any
181 person preparing a report given in evidence pursuant to this
182 article may be summoned as a witness in any civil or criminal
183 case by either party to the cause."

184 "§45-27-60.15

185 ~~Upon Beginning~~ January 15, 1998, title and control of
186 all equipment in the office of the Escambia County Coroner
187 shall be transferred by ~~Escambia County~~ the county to the
188 county medical examiner ~~and to the Alabama Department of~~
189 ~~Forensic Sciences~~. The Escambia County Commission shall
190 establish a Medical Examiner Fund. Thereafter, all funds
191 previously appropriated by the county commission to the office
192 of coroner shall be appropriated to the Medical Examiner Fund.
193 The appropriation shall be in the amount agreed to between the
194 county commission and the ~~Alabama Department of Forensic~~
195 ~~Sciences~~ county medical examiner's office each year, but the
196 amount shall not be less than the amount appropriated to the



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197 office of the coroner in the Escambia County 1997-98 fiscal
198 year budget. ~~The senior state medical examiner in Region IV of~~
199 ~~the Alabama Department of Forensic Sciences, in conjunction~~
200 ~~with the Escambia County Medical Examiner, shall review the~~
201 ~~funding of the county medical examiner each year with the~~
202 ~~Escambia County Commission to assure adequate support for the~~
203 ~~investigations of death in the county."~~

204 Section 2. Section 45-27-60.14, Code of Alabama 1975,
205 relating to the compensation of the county medical examiner,
206 is repealed.

207 Section 3. This act shall become effective on October
208 1, 2025.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and
was passed by the House 10-Apr-25.

John Treadwell
Clerk

Senate

14-May-25

Passed