

HB544 INTRODUCED



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



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§45-27-60.01

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

(b) The ~~Escambia County Medical Examiner~~ county medical examiner shall be appointed by the ~~senior state medical examiner in Region IV of the Alabama Department of Forensic Sciences. The appointment shall be made, with the approval of~~



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29 ~~the~~ Director of the Alabama Department of Forensic Sciences,
30 from a list of qualified ~~physicians~~ candidates submitted by
31 ~~the Escambia County Medical Society after review by the~~
32 ~~district attorney of the county~~ a nominating committee
33 consisting of all of the following individuals:

34 (1) The Chair of the Escambia County Commission, or his
35 or her designee.

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

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

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

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

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

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

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

56 (g) If a vacancy occurs during a term, the Director of



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57 the Alabama Department of Forensic Sciences shall appoint an
58 interim county medical examiner within 14 days of the vacancy.
59 The nominating committee shall submit a list to the director
60 within 90 days of the vacancy, after which the director shall
61 make an appointment to serve the remainder of the term.

62 (h) The Director of the Alabama Department of Forensic
63 Sciences may waive the requirement that the county medical
64 examiner be a physician when appointing an interim county
65 medical examiner."

66 "§45-27-60.02

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

76 "§45-27-60.03

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



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85 "§45-27-60.04

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

90 (1) Deaths that occur suddenly and unexpectedly, that
91 is, when the person has not been under medical care for
92 significant disease of the heart or lung, or other disease.

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

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

99 (4) Deaths due to poisoning.

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

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

104 (7) Deaths unattended by a physician.

105 (8) Deaths due to neglect.

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

108 (10) Deaths due to criminal abortion.

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



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

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

119 (14) Deaths occurring under suspicious or unusual
120 circumstances.

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

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

125 "§45-27-60.06

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

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

138 (1) If the deceased is unidentified.

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



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141 (3) If the cause of death is obscure.

142 (c) ~~The~~ In the event of a death qualifying under
143 subsection (b), the State Medical Examiner county medical
144 examiner shall further examine the body, take, retain, and
145 examine or have examined whatever tissues, biological fluids,
146 or other evidence from the body that he or she deems necessary
147 to determine the cause, manner, or circumstances of death, and
148 the identity of the deceased. The county medical examiner ~~or~~
149 ~~state medical examiner~~ shall then execute a death certificate,
150 as required by law, and also shall authorize release of the
151 body for final disposition by executing a certificate required
152 by the State Health Department."

153 "§45-27-60.07

154 (a) ~~An~~ In compliance with the provisions of Section
155 36-18-2, an autopsy or postmortem examination may be performed
156 by a state medical examiner at the written direction of the
157 Governor, the Attorney General, a circuit judge, or the
158 Escambia County District Attorney or his or her authorized
159 representative in any case in which the Attorney General or
160 the district attorney is conducting a criminal investigation.

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



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169 ~~(c) In a death where the county medical examiner does~~
170 ~~not deem it advisable and in the public interest that an~~
171 ~~autopsy be performed, but the next of kin of the deceased~~
172 ~~requests that an autopsy be performed, the State Medical~~
173 ~~Examiner, or a designated pathologist, may perform the autopsy~~
174 ~~and the cost therefor shall be paid by the next of kin. The~~
175 ~~funds paid by the next of kin shall be deposited by the State~~
176 ~~Treasurer into the Forensic Services Trust Fund."~~

177 "§45-27-60.12

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

190 "§45-27-60.15

191 ~~Upon~~ Beginning January 15, 1998, title and control of
192 all equipment in the office of the Escambia County Coroner
193 shall be transferred by ~~Escambia County~~ the county to the
194 county medical examiner ~~and to the Alabama Department of~~
195 ~~Forensic Sciences~~. The Escambia County Commission shall
196 establish a Medical Examiner Fund. Thereafter, all funds



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197 previously appropriated by the county commission to the office
198 of coroner shall be appropriated to the Medical Examiner Fund.
199 The appropriation shall be in the amount agreed to between the
200 county commission and the ~~Alabama Department of Forensic~~
201 ~~Sciences~~ county medical examiner's office each year, but the
202 amount shall not be less than the amount appropriated to the
203 office of the coroner in the Escambia County 1997-98 fiscal
204 year budget. ~~The senior state medical examiner in Region IV of~~
205 ~~the Alabama Department of Forensic Sciences, in conjunction~~
206 ~~with the Escambia County Medical Examiner, shall review the~~
207 ~~funding of the county medical examiner each year with the~~
208 ~~Escambia County Commission to assure adequate support for the~~
209 ~~investigations of death in the county."~~

210 Section 2. Section 45-27-60.14, Code of Alabama 1975,
211 relating to the compensation of the county medical examiner,
212 is repealed.

213 Section 3. This act shall become effective on October
214 1, 2025.