

1 SB232
2 120723-2
3 By Senator Denton
4 RFD: Governmental Affairs
5 First Read: 14-JAN-10

1 SB232

2
3
4 ENROLLED, An Act,

5 Relating to coroners; to provide that the coroner
6 would store and transport bodies for the purpose of autopsies
7 or any other post-mortem examination under certain
8 circumstances; and to provide reimbursement of the expenses
9 incurred for the storage and transfer.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

23 (b) Upon receipt of the statement from the coroner,
24 the county commission shall prepare and send an itemized
25 statement for reimbursement of expenses to the entity

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

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

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

1 the person or entity pays all expenses incurred by the coroner
2 prior to the services being rendered. Payment shall be made
3 payable to the county general fund and expended as provided in
4 Section 4.

5 Section 6. This act shall become effective October
6 1, 2010, following its passage and approval by the Governor,
7 or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB232

Senate 09-MAR-10

I hereby certify that the within Act originated in and passed the Senate, as amended.

McDowell Lee
Secretary

House of Representatives
Amended and passed 14-APR-10

Senate concurred in House amendment 14-APR-10

By: Senator Denton