

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3184

By: Patzkowsky

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8 COMMITTEE SUBSTITUTE

9 An Act relating to medicolegal investigations;
10 amending 63 O.S. 2021, Section 940, as amended by
11 Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp.
12 2023, Section 940), which relates to the cooperation
13 of state and county officials with State Medical
14 Examiner; permitting the relocation of certain bodies
15 and vehicles for rural counties by state trooper;
16 requiring certain access; and providing an effective
17 date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 63 O.S. 2021, Section 940, as
20 amended by Section 1, Chapter 176, O.S.L. 2022 (63 O.S. Supp. 2023,
21 Section 940), is amended to read as follows:

22 Section 940. A. All law enforcement officers and other state
23 and county officials shall cooperate with the Chief Medical Examiner
24 and all other medical examiners in making investigations required
 pursuant to the provisions of Sections 931 through 954 of this
 title. The officials and the physician in attendance of the

1 deceased, or other persons when the deceased was unattended by a
2 physician, shall promptly notify the medical examiner of the
3 occurrence of all deaths coming to their attention which, pursuant
4 to the provisions of Sections 931 through 954 of this title, are
5 subject to investigation, and shall assist in making dead bodies and
6 related evidence available for investigation.

7 Subject to the provisions of Sections 931 through 954 of this
8 title, bodies shall not be disturbed until authorized by the Chief
9 Medical Examiner or his or her designee and the representative of
10 any law enforcement agency which has begun an investigation of the
11 cause of death except as provided for in subsection C. The
12 authorization may be given by telephone. Nothing in Sections 931
13 through 954 of this title shall prevent the district attorney, or
14 his or her designee, or the responding law enforcement officer from
15 authorizing the removal of a body when the removal is determined to
16 be in the public interest and conditions at the scene are adequately
17 documented and preserved by photographs and measurements.

18 B. The death of any patient, inmate, ward, or veteran in a
19 state hospital or other institution shall be reported by the chief
20 administrative officer of the hospital or institution or his or her
21 designee to the Office of the Chief Medical Examiner at the time of
22 the death and prior to release of the body.

23 1. Within thirty-six (36) hours, a written report shall be
24 submitted and shall be accompanied by true and correct copies of all

1 medical records of the hospital or institution concerning the
2 deceased patient.

3 2. The Chief Medical Examiner shall have the authority to
4 require production of any records, documents, or equipment or other
5 items regarding the deceased patient deemed necessary to investigate
6 the death.

7 C. State Troopers in a county with a population of less than
8 fifty thousand (50,000) may authorize the relocation of the body of
9 a deceased if, after investigating and documenting the scene and
10 with a concurring opinion of a local medical professional, the death
11 is determined to be accidental. The medical examiner or their
12 designee shall have access to any relocated bodies and relevant
13 requested evidence. The term "local medical professional" shall
14 mean a licensed doctor, nurse, or qualified Emergency Medical
15 Technician personnel who resides in the county or immediate
16 surrounding area.

17 SECTION 2. This act shall become effective November 1, 2024.

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19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/21/2024 -
20 DO PASS, As Amended.

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