

2024 Regular Session

SENATE BILL NO. 447

BY SENATOR MIZELL

HEALTH DEPARTMENT. Provides relative to coroners. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 13:5713(F) and to enact R.S. 13:5713(K), relative to coroners;  
3 to provide for duties of the coroner; to provide for determinations by the attorney  
4 general; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5713(F) is hereby amended and reenacted and R.S. 13:5713(K)  
7 is hereby enacted to read as follows:

8 §5713. Duties; autopsies and investigations

9 \* \* \*

10 F. The coroner ~~or his designee~~ shall **implement** ~~examine all alleged victims~~  
11 ~~of a sexually oriented criminal offense. The coroner may select the hospital or~~  
12 ~~healthcare provider named as the lead entity for sexual assault examinations in the~~  
13 regional **sexual assault response** plan **adopted for the coroner's health service**  
14 **district** as required by ~~R.S. 40:1300.41~~ **R.S. 40:1216.1** as his designee to perform  
15 the forensic medical examination.

16 \* \* \*

17 **K. If the coroner is unable, unwilling, unqualified, or has a conflict of**

1           **interest in performing any of the duties provided for in this Section, the duty**  
 2           **may be performed by the coroner of an adjacent parish or parish in the same**  
 3           **regional health service district. The attorney general shall determine whether**  
 4           **a conflict exists or if the coroner is unqualified, based on all available facts and**  
 5           **circumstances.**

6           Section 2. This Act shall become effective upon signature by the governor or, if not  
 7           signed by the governor, upon expiration of the time for bills to become law without signature  
 8           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 9           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 10          effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Amanda Trapp.

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## DIGEST

SB 447 Original

2024 Regular Session

Mizell

Present law provides for the duties of the coroner.

Present law authorizes the coroner to select the hospital or healthcare provider named as the lead entity for sexual assault examinations in the regional sexual assault response plan.

Proposed law requires the coroner to implement the regional sexual assault response plan as adopted pursuant to present law.

Proposed law authorizes a coroner of another parish to perform any of the duties provided in present law and proposed law if the coroner is unable, unwilling, unqualified, or has a conflict of interest in performing the duty.

Proposed law authorizes the attorney general to make the determination of the coroner's conflicts and qualifications based on all available facts and circumstances.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 13:5713(F); adds R.S. 13:5713(K))