

2026 Regular Session

HOUSE BILL NO. 1253 (Substitute for House Bill No. 454 by Representative Butler)

BY REPRESENTATIVES BUTLER, ADAMS, AMEDEE, BACALA, BAYHAM, BERAULT, BILLINGS, BOUDREAUX, BOYD, BOYER, BROUSSARD, CARRIER, ROBBY CARTER, WILFORD CARTER, CARVER, CHASSION, CHENEVERT, COATES, DEVILLIER, DEWITT, DICKERSON, DOMANGUE, EGAN, FISHER, FREIBERG, GEYMANN, GLORIOSO, GREEN, HEBERT, HILFERTY, HORTON, ILLG, JACKSON, JORDAN, KERNER, LACOMBE, LAFLEUR, JACOB LANDRY, TERRY LANDRY, LYONS, MARTINEZ, MILLER, MOORE, NEWELL, OWEN, SCHAMERHORN, SCHLEGEL, SPELL, ST. BLANC, TAYLOR, VILLIO, WALTERS, WILDER, WYBLE, AND YOUNG

HUMAN REMAINS: Enacts the Gracey Claire Rushing Act to provide for documentation, notification, and communication in the handling and disposition of human remains and internal organs

1 AN ACT

2 To amend and reenact R.S. 44:19(E)(4), relative to the treatment of human remains; to  
3 provide for death investigation documentation requirements for human remains and  
4 internal organs; to provide for the content of autopsy reports in accounting for the  
5 treatment of human remains; to provide for an effective date; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:19(E)(4) is hereby amended and reenacted to read as follows:

9 §19. Records of a coroner; autopsy photographs, video, and other visual images

10 \* \* \*

11 E. Coroner death investigation documents shall include the following:

12 \* \* \*

13 (4) A post-mortem forensic medical examination report, referred to as the  
14 "autopsy report", may include an external examination only, an external examination  
15 with toxicology, toxicology only, or an autopsy with supporting laboratory

1 evaluation. The post-mortem forensic medical examination report is a document that  
 2 is the work product of the coroner that contains the name of the decedent, address,  
 3 date of birth, age, sex, and race of the decedent, date and time of death, place of  
 4 death, date and time of autopsy, when applicable, name of the doctor performing the  
 5 autopsy and names of all persons present at the autopsy, and information regarding  
 6 the autopsy, including whether the autopsy was requested or performed by operation  
 7 of law, a listing of the physical findings of the autopsy, a summary in narrative form  
 8 of the medical findings and conclusions, toxicology, histology, and radiology  
 9 findings, when applicable, and the cause and manner of death. The post-mortem  
 10 forensic medical examination report shall document any organs of the deceased  
 11 retained pursuant to R.S. 13:5713(B)(4)(b). The post-mortem forensic medical  
 12 examination report is not a public document except as provided in Paragraph (6) of  
 13 this Subsection, or if ordered opened to the public by a court of competent  
 14 jurisdiction. However, it shall be made available at no charge to the appropriate law  
 15 enforcement agencies as requested and is subject to subpoena. The coroner shall  
 16 provide one copy of this document upon request by the spouse, parent, sibling, child,  
 17 grandchild, niece, nephew, aunt, or uncle of the decedent, or the next of kin pursuant  
 18 to R.S. 8:655(A) and one copy of this document upon request by the decedent's  
 19 physician. The provisions of this Paragraph shall not apply to the medical records  
 20 of the decedent or any records generated by any public entity other than the coroner  
 21 and those records shall be obtained from the entity generating them in accordance  
 22 with other applicable provisions of law.

\* \* \*

24 Section 2. This Act shall become effective on January 1, 2027.

25 Section 3. This Act shall be known and may be cited as the "Gracey Claire Rushing  
 26 Act" in memory of a young child whose passing in 2009 highlighted the need for improved  
 27 safeguards in the treatment of decedents' remains.

---

**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 1253 Reengrossed

2026 Regular Session

Butler

**Abstract:** Enacts the Gracey Claire Rushing Act to provide for documentation, notification, and communication in the handling and disposition of human remains and internal organs.

Proposed law enacts the Gracey Claire Rushing Act in memory of a young child whose passing highlighted the need for improved safeguards in the treatment of decedent's remains.

Present law provides that a post-mortem forensic medical examination report, known as an autopsy report, contains information including contact information of the decedent, the names of persons performing or present at the autopsy, a summary of the medical findings, and the cause and manner of death.

Present law further provides that this report is not a public record except when ordered released pursuant to a court order or when the report involves criminal activity or the death of a person in the custody of law enforcement or a corrections entity.

Present law provides for this report to be made available to law enforcement at no charge, to the next of kin, and to the decedent's physician.

Present law (R.S. 13:5713(B)(4)(b)) permits the coroner to remove and retain any specimens or organs of a deceased which in his discretion are necessary for further examination.

Proposed law retains present law and provides that the autopsy report shall also document any organs of the deceased that have been retained pursuant to present law.

Effective on Jan. 1, 2027.

(Amends R.S. 44:19(E0(4)))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provide that an autopsy report shall document any organs of a decedent that have been retained by the coroner for further examination.