

SENATE BILL NO. 241

BY SENATOR MILKOVICH

1 AN ACT

2 To amend and reenact R.S. 13:5713(J), relative to duty to hold autopsies and investigations;
3 to provide relative to autopsy records, writings, and documents and coroner reports;
4 to provide relative to persons authorized to receive autopsy records, writings, and
5 documents and coroner reports; to provide with respect to authorization of family
6 members and next of kin to receive autopsy records, writings, and documents and
7 coroner reports; to provide for exceptions and applicability; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5713(J) is hereby amended and reenacted to read as follows:

11 §5713. Duty to hold autopsies, investigations, etc.

12 * * *

13 J.(1) Autopsy reports prepared by the coroner or his designee are public
14 records. The coroner shall provide one copy of the autopsy report, records, writings,
15 and documents of any description in any way compiled, drafted or recorded in
16 connection with an autopsy upon request by ~~the next of kin at no charge to the next~~
17 ~~of kin~~ the spouse, parent, sibling, child, grandchild, niece, nephew, aunt or
18 uncle. If there is no surviving spouse, parent, sibling, child, grandchild, niece,
19 nephew, aunt or uncle, then the coroner shall provide one copy of the autopsy
20 report upon request to the next of kin. The coroner shall provide copies of the
21 autopsy report, records, writings, and documents of any description in any way
22 compiled, drafted or recorded in connection with an autopsy at no charge to the
23 appropriate law enforcement agencies as requested. The public records fee for any
24 other copy of an autopsy report shall be the same as that charged by the registrar of

1 vital records for the state for a death certificate. The records, writings, and
 2 documents of any descriptions in any way compiled, drafted, or recorded in
 3 connection with an autopsy shall be provided by the coroner upon payment of
 4 a reasonable copying charge pursuant to R.S. 40:1165.1. The autopsy report
 5 shall be provided to relatives as provided in this Section at no charge.

6 (2) The provisions of this Subsection shall not apply to the medical
 7 records of the decedent.

8 (3) Notwithstanding the provisions of this Subsection, records, writings,
 9 and documents of any description in any way compiled, drafted, or recorded in
 10 connection with an autopsy which are generated by any public entity other than
 11 the coroner shall be obtained from the public entity generating those records,
 12 writings, and documents in accordance with other applicable provisions of law.

13 * * *

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

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____