

2017 Regular Session

HOUSE BILL NO. 154

BY REPRESENTATIVE CARPENTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CORONERS: Authorizes the disclosure of autopsy-related documents to the Department of Children and Family Services at no charge

1 AN ACT

2 To amend and reenact R.S. 13:5713(J)(1), relative to autopsy reports; to provide relative to
3 the disclosure of documents related to an autopsy; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

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

6 §5713. Duty to hold autopsies, investigations, etc.

7 * * *

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

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

5 * * *

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.

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 154 Original

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Carpenter

Abstract: Adds the Dept. of Children and Family Services to those agencies entitled to the coroner's autopsy report upon request.

Present law requires the coroner to provide copies of an autopsy report, records, writings, and documents to the appropriate law enforcement agencies as requested at no charge.

Proposed law adds the Dept. of Children and Family Services as an agency which is entitled to a coroner's autopsy report, records, writings, and documents, if requested.

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

(Amends R.S. 13:5713(J)(1))