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## DIGEST

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HB 732 Original

2015 Regular Session

Huval

**Abstract:** Authorizes any adult person to make a written declaration of final disposition governing the interment of his bodily remains, and prohibits the coroner from conducting an autopsy under certain circumstances.

Present law provides the criteria for when a coroner is required to either view the body or make an investigation into the cause and manner of death, such as with suspicious, unexpected, or violent deaths, deaths due to unknown or obscure causes, bodies found dead, deaths due to suspected suicide or homicide, and deaths in which poison is suspected.

Present law authorizes the coroner to perform an autopsy in any case in his discretion and requires the coroner to perform an autopsy in the case of any death where there is a reasonable probability that a violation of a criminal statute has contributed to the death and in all cases of infants under one year of age who die unexpectedly.

Present law provides that if the family of the deceased objects to an autopsy on religious grounds, the autopsy shall not be performed unless the coroner finds that the facts surrounding the death require that an autopsy be performed in the interest of the public safety, public health, or public welfare.

Proposed law authorizes any adult person to make a written declaration of final disposition governing the interment of his bodily remains.

Proposed law provides the requirements as to the form of the declaration and the duty to carry out the directions of the declaration.

Proposed law provides that if the final disposition of the declarant prohibits the autopsy of or the removal of tissue from the decedent's remains, no such procedure shall be allowed unless the coroner has a reasonable suspicion that the death was caused by the criminal act of another or by a contagious disease constituting a risk to public health, safety, or welfare.

Proposed law provides that if the coroner has a reasonable suspicion that the cause of death was by criminal act or contagious disease, the coroner shall perform the least intrusive procedure deemed necessary and shall provide the survivors with written reasons for the necessity to circumvent the declarant's final disposition.

(Amends R.S. 13:5713(D))

