

2016 Regular Session

HOUSE BILL NO. 539

BY REPRESENTATIVE HAZEL

HUMAN REMAINS: Authorizes the use of human biological matter for purposes of training cadaver dogs

1 AN ACT

2 To amend and reenact R.S. 17:2351(3) and R.S. 37:848(D)(6) and to enact R.S. 9:1551(F)
3 and R.S. 17:2351(32), relative to the training of cadaver dogs; to authorize the
4 donation of tissue and biological samples for training a dog to search for human
5 remains; to exempt a dog search and rescue group from the prohibition on holding
6 a body for more than thirty hours without embalming; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 9:1551(F) is hereby enacted to read as follows:

10 §1551. Disposition of remains

11 * * *

12 F. Notwithstanding any other provision of law to the contrary, the coroner
13 may retain tissues and biological samples for tissue from an abandoned or unclaimed
14 body in order to donate the tissue or biological sample to an individual who is
15 affiliated with an established search and rescue dog organization for the purpose of
16 training a dog to search for human remains.

17 Section 2. R.S. 17:2351(3) is hereby amended and reenacted and R.S. 17:2351(32)
18 is hereby enacted to read as follows:

19 §2351. Definitions

20 * * *

1 (3) "Anatomical gift" or "gift" means a donation of all or part of a human
2 body to take effect after the death of the donor for the purpose of transplantation,
3 therapy, research, or education, including forensic science education and related
4 training.

5 * * *

6 (32) "Forensic science education" includes any program affiliated with an
7 established search and rescue dog organization for the purpose of training a dog to
8 search for human remains.

9 Section 3. R.S. 37:848(D)(6) is hereby amended and reenacted to read as follows:

10 §848. Unlawful practice

11 * * *

12 D.

13 * * *

14 (6) Notwithstanding any provision of this Part to the contrary, a licensed
15 hospital or medical school or a search and rescue dog organization operating a
16 forensic science education program as defined in R.S. 17:2351 may hold a body for
17 more than thirty hours without having the body embalmed and a licensed hospital,
18 medical school, or the Bureau of Anatomical Services may dispose of any tissues or
19 organs according to accepted procedures.

20 * * *

21 Section 4. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 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 539 Original

2016 Regular Session

Hazel

Abstract: Authorizes the donation of tissue and biological samples for the purpose of training a dog to search for human remains.

Present law authorizes the coroner to dispose of an abandoned or unclaimed body.

Proposed law retains present law and authorizes the coroner to retain tissues and biological samples for tissue from an abandoned or unclaimed body in order to donate the tissue or biological sample to an individual who is affiliated with an established search and rescue dog organization for the purpose of training a dog to search for human remains.

Present law defines "anatomical gift", for the purposes of the Anatomical Gift Act, as a donation of all or part of a human body to take effect after the death of the donor for the purpose of transplantation, therapy, research, or education.

Proposed law retains present law and adds forensic science education and related training, which includes any program affiliated with an established search and rescue dog organization for the purpose of training a dog to search for human remains.

Present law requires a body not embalmed or refrigerated to be buried, cremated, or otherwise disposed of within 30 hours after death or as soon as possible after its release by the proper authorities unless the body is held by a licensed hospital or medical school.

Proposed law retains present law and adds an exception for a search and rescue dog organization operating a forensic science education program.

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

(Amends R.S. 17:2351(3) and R.S. 37:848(D)(6); Adds R.S. 9:1551(F) and R.S. 17:2351(32))