

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1617

By: Representative Clowney

By: Senator B. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING POSTMORTEM EXAMINATIONS; TO REQUIRE OR RECOMMEND THAT THE STATE MEDICAL EXAMINER CONDUCT A POSTMORTEM EXAMINATION IN CERTAIN CASES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING POSTMORTEM EXAMINATIONS; AND TO REQUIRE OR RECOMMEND THAT THE STATE MEDICAL EXAMINER CONDUCT A POSTMORTEM EXAMINATION IN CERTAIN CASES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 12-12-315(a)(1), concerning required notification of certain persons of certain deaths, is amended to add an additional subdivision to read as follows:

(T) The death is a death listed in § 12-12-318(a)(3).

SECTION 2. Arkansas Code § 12-12-318(a), concerning examinations, investigations, and postmortem examinations, is amended to add an additional subdivision to read as follows:

(3)(A)(i) The county coroner having jurisdiction where a death occurs should submit the decedent to the State Crime Laboratory for a postmortem examination in the following circumstances, which are based on national standards, unless there is sufficient antemortem medical and investigative information documented and available that would otherwise



require a postmortem examination:

(a) The death is known or suspected to have been caused by apparent criminal violence;

(b) The death is sudden or unexpected and was not caused by a readily recognizable or documented disease;

(c) The death is unexpected and unexplained in an infant or child less than eighteen (18) years of age;

(d) The death is associated with police action;

(e) The death is apparently nonnatural and occurred while the person was in the custody of a local, state, or federal institution;

(f) The death is due to an acute workplace injury;

(g) The death is due to apparent electrocution;

(h) The death is caused by unwitnessed or suspected drowning;

(i) The body is unidentified;

(j) The body is skeletonized;

(k) The body is charred; or

(l) The death is of a pregnant female or a female who was pregnant within three hundred sixty-five (365) days of the female's death and the death is potentially related to the care of or physiology of pregnancy or the maintenance of the pregnancy, unless the death resulted from a medical condition or injury not causally related to the pregnancy.

(ii) The State Crime Laboratory shall provide consultation by the State Medical Examiner to a county coroner to assist in determining if antemortem medical and investigative information is available to certify the cause and manner of death.

(B) The county coroner having jurisdiction where a death occurs shall submit a decedent to the State Crime Laboratory for a postmortem examination when the death is by apparent drug, alcohol, or poison toxicity, unless a significant interval passed while the person was hospitalized and hospital evaluation is available for review

APPROVED: 4/11/23