

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 402 By Senator Mills

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CORONERS. Provides for duties of coroners. (8/1/14)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Technical Legislative Bureau amendments.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

Mills (SB 402)

Present law provides that the coroner will either view the body or make an investigation into the cause and manner of death in all cases involving the following:

- (1) Suspicious, unexpected, or unusual deaths.
- (2) Sudden or violent deaths.
- (3) Deaths due to unknown or obscure causes or in any unusual manner.
- (4) Bodies found dead.
- (5) Deaths without an attending physician within thirty-six hours prior to the hour of death.
- (6) Deaths due to suspected suicide or homicide.
- (7) Deaths in which poison is suspected.
- (8) Any death from natural causes occurring in a hospital under twenty-four hours of admission unless seen by a physician in the last thirty-six hours.
- (9) Deaths following an injury or accident either old or recent.
- (10) Deaths due to drowning, hanging, burns, electrocution, gunshot wounds, stabs or cutting, lightning, starvation, radiation, exposure, alcoholism, addiction, tetanus, strangulation, suffocation, or smothering.
- (11) Deaths due to trauma from whatever cause.
- (12) Deaths due to criminal means or by casualty.
- (13) Deaths in prison or while serving a sentence.
- (14) Deaths due to virulent contagious disease that might be caused by or cause a public hazard, including acquired immune deficiency syndrome.

Proposed law retains present law but removes the coroner's duty to investigate deaths without an attending physician 36 hours prior to the death.

Present law provides for the burial of paupers.

Proposed law retains present law but changes the term of use from burial to disposition.

Present law provides that the term "peace officer" for purposes of first degree murder means any peace officer, as defined in present law, and includes any constable, marshal, deputy marshal, sheriff, deputy sheriff, local or state policeman, commissioned wildlife enforcement agent, federal law enforcement officer, jail or prison guard, parole officer, probation officer, judge, attorney general, assistant attorney general, attorney general's investigator, district attorney, assistant district attorney, or district attorney's investigator.

Proposed law retains present law but adds any coroner, deputy coroner, or coroner investigator to the list of individuals that would be considered a "peace officer".

Present law provides that the provisions of present law will not prohibit active justices or judges of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, city courts, federal courts domiciled in the state of Louisiana, and traffic courts, constables, coroners, district attorneys and designated assistant district attorneys, United States attorneys and assistant United States attorneys and investigators, and justices of the peace from possessing and concealing a handgun on their person when the justice or judge, constable, coroner, district attorneys and designated assistant district attorneys, United States attorneys and assistant United States attorneys and investigators, or justices of the peace are POST certified.

Proposed law retains present law but adds coroner investigators to the list of individuals that may possess and conceal a handgun when they are POST certified.

Proposed law provides that the following persons will make a reasonable search of a person reasonably believed to be near death for a document of post anatomical gift or other information identifying the person as a donor or a person who has refused to make such a donation:

- (1) Any law enforcement officer, fireman, paramedic, or any other emergency rescuer assisting the person.
- (2) Any hospital, as soon as practical after the arrival of the person.

Proposed law retains present law and adds a coroner or his designee to the list of individuals that must make a reasonable search.

Effective August 1, 2014.

(Amends R.S. 13:5713(A) and 5715(A), R.S. 14:30(B)(1) and 95(H), and R.S. 17:2355.1)

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