SLS 16RS-420 **ORIGINAL** 

2016 Regular Session

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SENATE BILL NO. 241

BY SENATOR MILKOVICH

PUBLIC RECORDS. Provides right of access to autopsy records, coroner's reports and similar documents. (gov sig)

AN ACT

2	To amend and reenact R.S. 13:5713(J), relative to duty to hold autopsies and investigations;
3	to provide relative to autopsy records, writings, and documents and coroner reports;
4	to provide relative to persons authorized to receive autopsy records, writings, and
5	documents and coroner reports; to provide with respect to authorization of family
6	members and next of kin to receive autopsy records, writings, and documents and
7	coroner reports; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 13:5713(J) is hereby amended and reenacted to read as follows:
10	§5713. Duty to hold autopsies, investigations, etc.
11	* * *
12	J. Autopsy reports, records, writings, and documents of any description
13	in any way compiled, drafted or recorded in connection with an autopsy
14	prepared by the coroner or his designee are public records. The coroner shall provide
15	one copy of the autopsy report, records, writings, and documents of any
16	description in any way compiled, drafted or recorded in connection with an

autopsy upon request by the next of kin the parent, sibling, child, grandchild,

niece, nephew, aunt or uncle at no charge to the next of kin. The coroner shall provide one copy of the autopsy report upon request by the next of kin if there is no surviving parent, sibling, child, grandchild, niece, nephew, aunt or uncle at no charge to the next of kin. The coroner shall provide copies of the autopsy report, records, writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy at no charge to the appropriate law enforcement agencies as requested. The public records fee for any other copy of an autopsy report shall be the same as that charged by the registrar of vital records for the state for a death certificate.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Angela L. De Jean.

## DIGEST

Milkovich

SB 241 Original 2016 Regular Session

<u>Present law</u> provides that autopsy reports prepared by the coroner or his designee are public records. The coroner shall provide one copy of the autopsy report upon request by the next of kin at no charge to the next of kin.

<u>Present law</u> provides that the coroner shall provide copies of the autopsy report at no charge to the appropriate law enforcement agencies as requested.

<u>Present law</u> provides that the public records fee for any other copy of an autopsy report shall be the same as that charged by the registrar of vital records for the state for a death certificate.

<u>Proposed law</u> provides that autopsy reports, records, writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy prepared by the coroner or his designee are public records.

<u>Proposed law</u> provides that the coroner shall provide one copy of the autopsy report, records, writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy upon request by the parent, sibling, child, grandchild, niece, nephew, aunt or uncle at no charge.

Proposed law provides that the coroner shall provide one copy of the autopsy report, records,

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy upon request by the next of kin if there is no surviving parent, sibling, child, grandchild, niece, nephew, aunt or uncle at no charge to the next of kin.

<u>Proposed law</u> provides that the coroner shall provide copies of the autopsy report, records, writings, and documents of any description in any way compiled, drafted or recorded in connection with an autopsy at no charge to the appropriate law enforcement agencies as requested. The public records fee for any other copy of an autopsy report shall be the same as that charged by the registrar of vital records for the state for a death certificate.

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

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