

HOUSE BILL 593

IN THE HOUSE

February 6, 1979	Introduced and referred to Committee on State Administration.
February 17, 1979	Committee recommend bill do pass.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed. Third reading, passed.

IN THE SENATE

February 22, 1979	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 15, 1979	Committee recommend bill, not concurrent.

IN THE HOUSE

March 16, 1979	Returned from Senate, not concurrent.
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1 *House* BILL NO. *593*
 2 INTRODUCED BY *Greg Schuster* *Carlton L. Manning*
 3 *Dozier*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE CORONERS TO
 5 ORDER AUTOPSIES WHEN A DEATH OCCURS IN OR AS A DIRECT RESULT
 6 OF A FIRE IN A BUILDING OR OTHER STRUCTURE; AMENDING SECTION
 7 46-4-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 46-4-103, MCA, is amended to read:

11 "46-4-103. Autopsy -- when conducted, record, scope.

12 ~~(1) If whenever a death occurs in or as a direct result of a~~
 13 ~~fire in a building or other structure or, in other cases,~~
 14 ~~whenever~~ in the opinion of the coroner an autopsy is
 15 advisable, ~~he the coroner~~ shall order ~~one an~~ autopsy and
 16 shall retain a medical examiner to perform it. ~~Performancee~~
 17 ~~In cases of deaths resulting from causes other than such~~
 18 ~~fires, performance~~ of autopsies is within the discretion of
 19 the coroner except that the county attorney or attorney
 20 general may require one. In ordering an autopsy the coroner
 21 shall order the body to be exhumed if it has been interred.

22 (2) A full record of the facts found shall be made on
 23 a form provided by the division of forensic science in
 24 triplicate, the coroner and medical examiner retaining one
 25 copy and delivering the other to the county attorney. ~~If the~~

1 ~~autopsy was required because the death resulted from a fire~~
 2 ~~described in subsection (1), the coroner shall also deliver~~
 3 ~~a copy to the chief of the fire department, if there is one,~~
 4 ~~in whose jurisdiction the fire occurred.~~

5 (3) The right to conduct an autopsy shall include the
 6 right to retain such specimens as the medical examiner
 7 performing the autopsy deems necessary.

8 (4) The state of Montana shall pay any expenses
 9 incurred whenever an autopsy or investigation is initiated
 10 at the request of the state medical examiner or attorney
 11 general. The county shall pay any expenses incurred whenever
 12 an autopsy or investigation is initiated at the request of
 13 the county attorney or county coroner ~~or is required because~~
 14 ~~the death resulted from a fire described in subsection (1)."~~

15 Section 2. Effective date. This act is effective on
 16 passage and approval.

-End-

1
 2 INTRODUCTION BY *House* BILL NO. *593*
Dozier *Robert Manning*

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THIRD READING