

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 320

BY WAYS AND MEANS COMMITTEE

AN ACT

1
2 RELATING TO CORONER'S INQUESTS; AMENDING SECTION 19-4301B, IDAHO CODE, TO
3 PROVIDE NOTICE REQUIREMENTS RELATING TO THE PERFORMANCE OF CERTAIN AU-
4 TOPSIES.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 19-4301B, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 19-4301B. PERFORMANCE OF AUTOPSIES. (1) The coroner may, in the per-
9 formance of his duties under this chapter, summon a person authorized to
10 practice medicine and surgery in the state of Idaho to inspect the body and
11 give a professional opinion as to the cause of death. The coroner or the
12 prosecuting attorney may order an autopsy performed if it is deemed neces-
13 sary accurately and scientifically to determine the cause of death.

14 (2) If a coroner or a prosecuting attorney has ordered an autopsy to be
15 performed on the body of any person who at the time of death was under eigh-
16 teen (18) years of age, then he or she shall provide written notice to such
17 minor person's parent or guardian before the release of such body. Such no-
18 tice shall state that an autopsy has been performed and provide a general de-
19 scription of the autopsy. If the coroner or prosecuting attorney determines
20 that the parent or guardian of such minor person is not reasonably identifi-
21 able, ascertainable or available, then no such notice shall be required. The
22 provisions of this subsection shall not be construed to impede the authority
23 of a coroner or prosecuting attorney to order an autopsy pursuant to the pro-
24 visions of this chapter.

25 (3) When an autopsy has been performed, pursuant to an order of a coro-
26 ner or a prosecuting attorney, no cause of action shall lie against any per-
27 son, firm or corporation for participating in or requesting such autopsy.