

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023

# A Bill

HOUSE BILL 1617

4  
5 By: Representative Clowney  
6 By: Senator B. Johnson

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

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

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



1 require a postmortem examination:

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

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

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

8 (d) The death is associated with police  
 9 action;

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

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

15 (g) The death is due to apparent  
 16 electrocution;

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

19 (i) The body is unidentified;

20 (j) The body is skeletonized;

21 (k) The body is charred; or

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

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

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

**APPROVED: 4/11/23**