

Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

Amendment Form

Subtitle of House Bill No. 1489

"REGARDING WHICH OFFICIALS ARE NOTIFIED OF CERTAIN DEATHS."

Amendment No. 1 to House Bill No. 1489.

Amend House Bill No. 1489 as originally introduced:

Page 1, delete everything following the enacting clause and substitute:

"SECTION 1. Arkansas Code 12-12-315 is amended to read as follows:
12-12-315. Notification of certain deaths.

(a)(1) The county coroner, prosecuting attorney, and either the Department of Arkansas State Police, the chief law enforcement official of the county sheriff, and or the chief of police of the municipality in which the death of a human being occurs shall be promptly notified by any physician, law enforcement officer, undertaker or embalmer, jailer or correction officer, or coroner, or by any other person present or with knowledge of the death, if:

(A) The death appears to be caused by violence or appears to be the result of a homicide or a suicide or to be accidental;

(B) The death appears to be the result of the presence of drugs or poisons in the body;

(C) The death appears to be a result of a motor vehicle accident, or the body was found in or near a roadway or railroad;

(D) The death appears to be a result of a motor vehicle accident and there is no obvious trauma to the body;

(E) The death occurs while the person is in a state mental institution, correctional institution, or hospital and there is no previous medical history to explain the death, or while the person is in police custody or, a jail other than a jail operated by the Department of Correction, or a penal institution;

(F) The death appears to be the result of a fire or an explosion;

(G) The death of a minor child appears to indicate child abuse prior to death;

(H) Human skeletal remains are recovered or an unidentified deceased person is discovered;

(I) Postmortem decomposition exists to the extent that an external examination of the corpse cannot rule out injury, or in which the circumstances of death cannot rule out the commission of a crime;



(J) The death appears to be the result of drowning;
(K) The death is of an infant or a minor child under
eighteen (18) years of age;
(L) The manner of death appears to be other than natural;
(M) The death is sudden and unexplained;
(N) The death occurs at a work site;
(O) The death is due to a criminal abortion;
(P) The death is of a person where a physician was not in
attendance within thirty-six (36) hours preceding death, or, in prediagnosed
terminal or bedfast cases, within thirty (30) days;
(Q) A person is admitted to a hospital emergency room
unconscious and is unresponsive, with cardiopulmonary resuscitative measures
being performed, and dies within twenty-four (24) hours of admission without
regaining consciousness or responsiveness, unless a physician was in
attendance within thirty-six (36) hours preceding presentation to the
hospital, or, in cases in which the decedent had a prediagnosed terminal or
bedfast condition, unless a physician was in attendance within thirty (30)
days preceding presentation to the hospital;
(R) The death occurs in the home; or
(S)(i) The death poses a potential threat to public health
or safety.

(ii) Upon receiving notice of a death that poses a
potential threat to public health or safety the county coroner shall
immediately notify the Department of Human Services.

(2) Nothing in this section shall be construed to require an
investigation, autopsy, or inquest in any case in which death occurred
without medical attendance solely because the deceased was under treatment by
prayer or spiritual means in accordance with the tenets and practices of a
well-recognized church or religious denomination.

(b) With regard to any death in a correctional facility, the county
coroner and the State Medical Examiner shall be notified.

(c) A violation of the provisions of this section is a Class A
misdemeanor."

The Amendment was read _____
By: Representative Carter
BPG/BCS - 02-26-2009 09:10
BPG226 _____ Chief Clerk