

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Representative Wagner**

# **A Bill**

**HOUSE BILL 1386**

## **For An Act To Be Entitled**

8 *"AN ACT TO AMEND ARKANSAS CODE 12-12-316 REGARDING THE*  
9 *CRIME LAB'S RESPONSIBILITY FOR BEARING THE COST OF*  
10 *TRANSPORTING DECEASED PERSONS; AND FOR OTHER PURPOSES."*

## **Subtitle**

13 *"TO AMEND ARKANSAS CODE 12-12-316 REGARDING THE CRIME*  
14 *LAB'S RESPONSIBILITY FOR BEARING THE COST OF TRANSPORTING*  
15 *DECEASED PERSONS."*

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

19 *SECTION 1. Arkansas Code 12-12-316(b)(1) is amended to read as follows:*

20 *"(b)(1) The bodies of such deceased persons shall be returned to the*  
21 *county from which they were brought by or at the expense of the State Crime*  
22 *Laboratory only if the Chief Medical Examiner determines that the cause of*  
23 *death was not suicide, accidental, or from natural causes. In cases where the*  
24 *Chief Medical Examiner determines that the cause of death was suicide,*  
25 *accidental, or from natural causes, the expense of transporting and returning*  
26 *the bodies of such deceased persons shall be borne by whomever requests the*  
27 *State Crime Laboratory to examine the cause of death, except for cases*  
28 *referred under the provisions of Ark. Code Ann. 12-12-315(a)(2). A body may*  
29 *be transported when authorized by the prosecuting attorney, circuit court,*  
30 *sheriff, or chief of police, or upon the request of the next of kin of the*  
31 *deceased or the persons who may be responsible for burial, to a place other*  
32 *than the county of origin."*

34 *SECTION 2. All provisions of this act of a general and permanent nature*  
35 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*

1 Revision Commission shall incorporate the same in the Code.

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3 SECTION 3. If any provision of this act or the application thereof to  
4 any person or circumstance is held invalid, such invalidity shall not affect  
5 other provisions or applications of the act which can be given effect without  
6 the invalid provision or application, and to this end the provisions of this  
7 act are declared to be severable.

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9 SECTION 4. All laws and parts of laws in conflict with this act are  
10 hereby repealed.

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12 SECTION 5. EMERGENCY. It is hereby found and determined by the General  
13 Assembly that the return transportation of bodies for which postmortem  
14 examination has been requested and completed is not the function of the State  
15 Crime Laboratory, and that such responsibility places an undue hardship on the  
16 resources available to the State Crime Laboratory and its personnel.  
17 Therefore, an emergency is hereby declared to exist, and this act being  
18 immediately necessary for the preservation of the public peace, health, and  
19 safety shall be in full force and effect from and after its passage and  
20 approval.

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*/s/W. Wagner*

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***As Engrossed: 3/17/93***

**HB 1386**

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