

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Fairchild**

A Bill

HOUSE BILL 1761

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §12-12-315 TO
9 CLARIFY TO WHOM DEATHS ARE TO BE REPORTED AND WHAT TYPES
10 OF DEATHS ARE TO BE REPORTED; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code Annotated §12-12-315(a) is amended to read as
15 follows:

16 "12-12-315. Notification of sudden unexpected death.

17 (a) The county coroner and the chief law enforcement official of the
18 county and municipality in which death of a human being occurs shall be
19 promptly notified by any physician, law enforcement officer, undertaker or
20 embalmer, jailer or correction officer, coroner, or by any other person
21 present or with knowledge of the death, if:

22 (1) The death appears to be caused by violence or appears to be
23 the result of homicide, suicide, or accidental;

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

26 (3) The death appears to be as a result of a motor vehicle
27 accident or the body was found in or near a roadway or railroad;

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

30 (5) The death occurs while the person is in a state mental
31 institution or hospital and there is no previous medical history to explain
32 the death, or while the person is in police custody, a jail, or penal
33 institution;

34 (6) The death appears to be the result of a fire or explosion;

35 (7) The death of a minor child appears to indicate child abuse

1 prior to death;

2 (8) Human skeletal remains are recovered;

3 (9) Postmortem decomposition exists to the extent that an
4 external examination of the corpse cannot rule out injury or where the
5 circumstances of death cannot rule out the commission of a crime;

6 (10) The death appears to be the result of drowning;

7 (11) The death of an infant or minor child in cases where there
8 is no previous medical history to explain the death;

9 (12) The manner of death appears to be other than natural;

10 (13) The death is sudden and unexplained;

11 (14) The death occurs at a work site;

12 (15) The death is due to criminal abortion;

13 (16) The death of a person where a physician was not in
14 attendance within thirty-six (36) hours preceding death, or in prediagnosed
15 terminal or bedfast cases within thirty (30) days;

16 (17) Where a person is admitted to a hospital emergency room
17 unconscious and is unresponsive, with cardiopulmonary resuscitative measures
18 being performed, and dies within twenty-four (24) hours of admission without
19 regaining consciousness or responsiveness, unless a physician was in
20 attendance within thirty-six (36) hours preceding presentation to the
21 hospital, or in cases in which the decedent had a prediagnosed terminal or
22 bedfast condition unless a physician was in attendance within thirty (30) days
23 preceding presentation to the hospital. Nothing in this section shall be
24 construed to require an investigation, autopsy or inquest in any case where
25 death occurred without medical attendance solely because the deceased was
26 under treatment by prayer or spiritual means in accordance with the tenets and
27 practices of a well recognized church or religious denomination."

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29 SECTION 2. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 3. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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

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/s/ Bob Fairchild

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