

Senate Bill 214

By: Senators Mullis of the 53rd, Hamrick of the 30th and Price of the 56th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-16-45 of the Official Code of Georgia Annotated, relating to
2 authority of coroners and medical examiners to disinter bodies, so as to provide that the chief
3 medical examiner of the Division of Forensic Sciences of the Georgia Bureau of
4 Investigation and district attorneys shall have the authority to disinter bodies under certain
5 circumstances; to provide for related matters; to provide an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 45-16-45 of the Official Code of Georgia Annotated, relating to authority of
10 coroners and medical examiners to disinter bodies, is amended by striking the Code section
11 and inserting in lieu thereof a new Code Section 45-16-45 to read as follows:

12 "45-16-45.

13 (a) In order to implement this article, coroners are authorized to disinter any body already
14 buried and, like a sheriff, to command the power of the county for that purpose.

15 (b) ~~Medical examiners, other than local~~ County medical examiners; and district attorneys
16 may likewise exercise such authority in any case wherein such authority is granted by an
17 order of the judge of the superior court of the county. Such orders may be granted by
18 judges of the superior courts, in their discretion, upon petition of ~~any~~ a county medical
19 examiner ~~other than a local medical examiner.~~

20 (c) Upon approval by the director of the Georgia Bureau of Investigation, the chief
21 medical examiner is also authorized to disinter any body already buried. The chief medical
22 examiner shall notify the sheriff and coroner in the county where the body is buried of the
23 necessity to disinter such body, and the administrator of the property in which such body
24 is buried shall fully cooperate with the chief medical examiner. Upon request by the chief
25 medical examiner, all necessary permits to disinter and reinter a body shall be issued to the
26 chief medical examiner."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.