

Senate Bill 214

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

AS PASSED SENATE

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 and the chief medical examiner are
14 authorized to disinter any body already buried and, like a sheriff, to command the power
15 of the county for that purpose. Prior to the disinterment of a body, the chief medical
16 examiner shall notify the coroner of the county, if any, in which the body is located.

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

22 (c) Upon the issuance of an order under subsection (a) or (b) of this Code section, the
23 county board of health shall issue all necessary permits to disinter and reinter the body.

24 (d) Whenever any coroner, chief medical examiner, county medical examiner, or district
25 attorney disinter any body, they shall provide written notice to the living parents and
26 children of the person who remains are to be disinterred of the time of the disinterment is

1 scheduled to occur unless such person is unknown or under criminal investigate in
2 connection with disinterment.”

3 **SECTION 2.**

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

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.