

Senate Bill 38

By: Senator Harp of the 29th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 21 of Title 31 of the Official Code of Georgia Annotated,
2 relating to the disposition of unclaimed dead bodies, so as to authorize the Board for the
3 Distribution of Cadavers to provide for dead bodies to be used in the training and handling
4 of police canine; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 21 of Title 31 of the Official Code of Georgia Annotated, relating to the
9 disposition of unclaimed dead bodies, is amended in Code Section 31-21-21, relating to the
10 delivery of certain unclaimed bodies to the Board for the Distribution of Cadavers, as
11 follows:

12 "31-21-21.

13 (a) All public officers of this state and their assistants and all officers and their deputies
14 of every county, city, town, or other municipality and of every prison, county correctional
15 institution, morgue, public hospital, health care facility, except the Central State Hospital
16 which institution shall have authority to perform autopsies on the dead bodies of persons
17 dying as patients therein in the discretion of the superintendent and medical staff of the
18 institution, having control over any dead human body not dead from contagious or
19 infectious disease and required to be buried at public expense are required to notify the
20 board created under Code Section 31-21-20 or such person as may from time to time be
21 designated in writing by such board for distribution or its duly authorized officer whenever
22 any such body comes into their possession or control. Such officers shall, without fee or
23 reward, deliver the body and allow such board and its duly authorized agents who may
24 comply with this chapter to remove such body and to provide for its use only within this
25 state, ~~solely~~ for the advancement of medical science and law enforcement training. No
26 such notice shall be given nor shall any such body be delivered if any person, claiming to

27 be and satisfying the authorities in charge of the body that he or she is of any degree of kin,
28 or is related by marriage to, or socially or otherwise connected with and interested in the
29 deceased, shall claim the body for burial, cremation, or other proper disposition; but it shall
30 be at once surrendered to such person or shall be buried at public expense at the request of
31 such claimant if a relative by blood or a connection by marriage and financially unable to
32 provide burial, cremation, or other proper disposition.

33 (b) A body described in subsection (a) of this Code section shall in each and every instance
34 be held and kept by the person or persons having charge or control of it for at least 24 hours
35 after death, before delivery to such board or its agent for distribution, during which period
36 notice of the death of such person shall be posted at the courthouse door of the county in
37 which such body is held."

SECTION 2.

39 Said Article is further amended in Code Section 31-21-23, relating to the distribution of the
40 Board for the Distribution of Cadavers, as follows:

41 "31-21-23.

The board for distribution or its duly authorized agent may distribute bodies received pursuant to Code Section 31-21-21 to and among the schools or colleges described in Code Section 31-21-20 for lectures and demonstrations by such schools or colleges and to schools certified by the Georgia Peace Officer Standards and Training Council as provided in Chapter 8 of Title 35 for purposes of instruction in the training and handling of police canine. The number assigned to each medical institution shall be based upon the number of bona fide students in each dissecting or operative surgery class, which number of students shall be reported by the schools or colleges to the above-specified board at such times as it may direct, ~~provided that the~~. The schools or colleges, upon receiving such bodies and before any use is made of them, and without unnecessary mutilation or dissecting, shall cause them to be embalmed properly and preserved carefully and kept for a period of 60 days from the day of receipt and shall deliver them properly prepared for burial, cremation, or other proper disposition to any persons mentioned and described in Code Section 31-21-21, who shall claim such bodies before the expiration of the period of 60 days and who shall satisfy the officers of the school or college that they are such persons as are entitled under Code Section 31-21-21 to claim such bodies. If, at the expiration of 60 days, such body or bodies have not been claimed for burial in the manner and by the person or persons described in this article, they shall then be used by the schools or colleges for the purposes specified in this article. When the bodies have been so used and are no longer needed or serviceable for the purposes mentioned in this article, they shall be decently interred by the schools or colleges."

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SECTION 3.

64 Said Article is further amended in Code Section 31-21-25, relating to bonds by schools or
65 colleges permitted to receive dead bodies by the Board for the Distribution of Cadavers, as
66 follows:

67 "31-21-25.

68 No school or college shall be allowed or permitted to receive any body or bodies described
69 in Code Section 31-21-21 until a bond shall have been given to the Department of Human
70 Resources by or in behalf of the school or college by its authorized officers, to be approved
71 by the clerk of the superior court of the county in which the school or college is situated
72 and to be filed in the office of such clerk. The bond shall be in the sum of \$5,000.00 and
73 shall be conditioned that the body or bodies received thereafter by the school or college
74 shall be used only in the manner specified in this article and solely for the promotion of
75 medical science or law enforcement training in this state. Actions thereon shall be in the
76 name of the Department of Human Resources, and any sums recovered shall be deposited
77 in the state treasury."

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SECTION 4.

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