

By: Coffee of the Senate  
and  
Rice of the House

An Act relating to deaths; amending 63 O.S. 1991, Section 938, which relates to death investigations; providing an exception to types of death to be investigated; removing authority to perform autopsy as part of investigation following execution under a death sentence; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 938, is amended to read as follows:

Section 938. A. All human deaths of the types listed herein shall be investigated as provided by ~~this act~~ law:

~~(a) violent~~ 1. Violent deaths, whether apparently homicidal, suicidal, or accidental, including but not limited to, deaths due to thermal, chemical, electrical, or radiational injury, and deaths due to criminal abortion, whether apparently self-induced or not;

~~(b) deaths~~ 2. Deaths under suspicious, unusual or unnatural circumstances;

~~(c) deaths~~ 3. Deaths related to disease which might constitute a threat to public health;

~~(d) deaths~~ 4. Deaths unattended by a licensed medical or osteopathic physician for a fatal or potentially-fatal illness;

~~(e) deaths~~ 5. Deaths of persons after unexplained coma;

~~(f) deaths~~ 6. Deaths that are medically unexpected and that occur in the course of a therapeutic procedure;

~~(g) deaths~~ 7. Deaths of any inmates occurring in any place of penal incarceration, except scheduled executions pursuant to Title 22 of the Oklahoma Statutes; and

~~(h) deaths~~ 8. Deaths of persons whose bodies are to be cremated, buried at sea, transported out of the state, or otherwise made ultimately unavailable for pathological study.

B. The State Medical Examiner shall not automatically perform an autopsy in conjunction with an investigation of death on an inmate that resulted from a scheduled execution on a death sentence.

SECTION 2. This act shall become effective July 1, 2000.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 6th day of March, 2000.

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President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2000.

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Speaker of the House of  
Representatives