

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 ENGROSSED SENATE
5 BILL NO. 1123

 By: Burns, Hamilton, and
 Bullard of the Senate

6 and

7 West (Rick) and **Humphrey** of
8 the House

9
10 An Act relating to medicolegal investigations;
11 amending 63 O.S. 2021, Section 940, which relates to
12 notification of deaths; modifying inclusions of
 certain authorization; and providing an effective
 date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2021, Section 940, is
17 amended to read as follows:

18 Section 940. A. All law enforcement officers and other state
19 and county officials shall cooperate with the Chief Medical Examiner
20 and all other medical examiners in making investigations required
21 pursuant to the provisions of Sections 931 through 954 of this
22 title. ~~Said~~ The officials and the physician in attendance of the
23 deceased, or other persons when the deceased was unattended by a
24 physician, shall promptly notify the medical examiner of the

1 occurrence of all deaths coming to their attention which, pursuant
2 to the provisions of Sections 931 through 954 of this title, are
3 subject to investigation, and shall assist in making dead bodies and
4 related evidence available for investigation.

5 Subject to the provisions of Sections 931 through 954 of this
6 title, bodies shall not be disturbed until authorized by the Chief
7 Medical Examiner or his or her designee and the representative of
8 any law enforcement agency which has begun an investigation of the
9 cause of death. ~~Said~~ The authorization may be given by telephone.
10 Nothing in Sections 931 through 954 of this title shall prevent the
11 district attorney, or his or her designee, or the responding law
12 enforcement officer from authorizing the removal of a body when the
13 removal is determined to be in the public interest and conditions at
14 the scene are adequately documented and preserved by photographs and
15 measurements.

16 B. The death of any patient, inmate, ward, or veteran in a
17 state hospital or other institution shall be reported by the chief
18 administrative officer of the hospital or institution or his or her
19 designee to the Office of the Chief Medical Examiner at the time of
20 the death and prior to release of the body.

21 1. Within thirty-six (36) hours, a written report shall be
22 submitted and shall be accompanied by true and correct copies of all
23 medical records of the hospital or institution concerning the
24 deceased patient.

1 2. The Chief Medical Examiner shall have the authority to
2 require production of any records, documents, or equipment or other
3 items regarding the deceased patient deemed necessary to investigate
4 the death.

5 SECTION 2. This act shall become effective November 1, 2022.

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7 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
8 dated 04/07/2022 - DO PASS, As Coauthored.
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