

1 **REGISTRY OF UNIDENTIFIED DECEASED**

2 **PERSONS**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Howard C. Nielson**

6 AN ACT RELATING TO HEALTH; REQUIRING INFORMATION TO BE DERIVED,
7 PRESERVED, AND SHARED BY THE STATE MEDICAL EXAMINER FOR THE
8 PURPOSE OF DETERMINING THE IDENTITY AND BURIAL LOCATION OF AN
9 UNIDENTIFIED BODY; AND REQUIRING COUNTIES TO PROVIDE INFORMATION
10 TO THE STATE MEDICAL EXAMINER ON THE DISPOSITION OF UNIDENTIFIED
11 BODIES.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14 **26-4-25**, as enacted by Chapter 126, Laws of Utah 1981

15 ENACTS:

16 **26-4-27**, Utah Code Annotated 1953

17 *Be it enacted by the Legislature of the state of Utah:*

18 Section 1. Section **26-4-25** is amended to read:

19 **26-4-25. Burial of unclaimed body -- Request by college of medicine.**

20 Counties shall provide decent burial for a body found in the county which is unclaimed,
21 unless it is requested by the college of medicine of the University of Utah and the burial
22 requirement in Subsection 26-4-27(2) does not apply because the identity of the body is known.
23 Services rendered by a funeral director shall be paid for by the county.

24 Section 2. Section **26-4-27** is enacted to read:

25 **26-4-27. Registry of unidentified deceased persons.**

26 (1) If the identity of a deceased person over which the medical examiner has jurisdiction
27 under Section 26-4-7 is unknown, the medical examiner shall do the following before releasing

1 the body to the county in which the body was found as provided in Section 26-4-25:
2 (a) assign a unique identifying number to the body;
3 (b) create and maintain a file under the assigned number;
4 (c) examine the body, take samples, and § [conduct tests] **PERFORM OTHER RELATED**
4a **TASKS** § for the purpose of deriving
5 information that may be useful in ascertaining the identity of the deceased person;
6 (d) use the identifying number in all records created by the medical examiner that pertains
7 to the body;
8 (e) record all information pertaining to the body in the file created and maintained under
9 Subsection (1)(b);
10 (f) communicate the unique identifying number to the county in which the body was
11 found; and
12 (g) access information from available government sources and databases in an attempt to
13 ascertain the identity of the deceased person.
14 (2) A county which has received a body to which Subsection (1) applies:
15 (a) shall adopt and use the same identifying number assigned by Subsection (1) in all
16 records created by the county that pertain to the body;
17 (b) require any funeral director or sexton who is involved in the disposition of the body
18 to adopt and use the same identifying number assigned by Subsection (1) in all records created by
19 the funeral director or sexton pertaining to the body; and
20 (c) shall provide a decent burial for the body.
21 (3) Within 30 days of receiving a body to which Subsection (1) applies, the county shall
22 inform the medical examiner of the disposition of the body including the burial plot. The medical
23 examiner shall record this information in the file created and maintained under Subsection (1)(b).
24 (4) The requirements of Subsections (1) and (6) apply to a county examiner appointed
25 under Section 26-4-5, with the additional requirements that the county examiner:
26 (a) obtain a unique identifying number from the medical examiner for the body; and
27 (b) send to the medical examiner a copy of the file created and maintained in accordance
28 with Subsection (1)(b), including the disposition of the body and burial plot, within 30 days of
29 releasing the body.
30 (5) The medical examiner shall maintain a file received under Subsection (4) in the same
31 way that it maintains a file created and maintained by the medical examiner in accordance with

1 Subsection (1)(b).

2 (6) The medical examiner shall cooperate and share information generated and maintained
3 under this section with a person who demonstrates:

4 (a) a legitimate personal or governmental interest in determining the identity of a deceased
5 person; and

6 (b) a reasonable belief that the body of that deceased person may have come into the
7 custody of the medical examiner.

Legislative Review Note
as of 12-10-97 4:40 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel