

1 **UTAH MEDICAL EXAMINER ACT -**
2 **INVESTIGATION AND AUTOPSIES**
3 **AMENDMENTS**

4 2009 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Curtis Oda**

7 Senate Sponsor: Gregory S. Bell

8
9 **LONG TITLE**

10 **General Description:**

11 This bill amends provisions of the Utah Medical Examiner Act relating to criminal
12 investigations and autopsies.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ grants the attorney general or an assistant attorney general the authority to
- 16 investigate certain deaths;
- 17 ▶ grants the attorney general the authority to request an autopsy; and
- 18 ▶ makes technical changes.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **26-4-6**, as last amended by Laws of Utah 1993, Chapter 38

26
27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **26-4-6** is amended to read:

29 **26-4-6. Investigation of deaths -- Requests for autopsies.**

30 ~~[The district attorney or county attorney having criminal jurisdiction or his deputies~~
31 ~~and peace officers within his jurisdiction shall]~~

32 (1) The following have authority to investigate ~~[deaths]~~ a death described in Section
33 26-4-7 and ~~[other cases]~~ any other case which may be within their ~~[authority or which may~~
34 ~~involve any criminal liability.]~~ jurisdiction:

35 (a) the attorney general or an assistant attorney general;

36 (b) the district attorney or county attorney who has criminal jurisdiction over the death
37 or case;

38 (c) a deputy of the district attorney or county attorney described in Subsection (1)(b);

39 or

40 (d) a peace officer within the jurisdiction described in Subsection (1)(b).

41 (2) If, in the opinion of the medical examiner, an autopsy should be performed or if an
42 autopsy is requested by the district attorney or county attorney having criminal jurisdiction,
43 [such] or by the attorney general, the autopsy shall be performed by the medical examiner or a
44 regional pathologist.