

HOUSE BILL No. 2482

By Committee on Health and Human Services

2-8

9 AN ACT concerning coroners; relating to the investigations of certain
10 deaths; amending K.S.A. 2006 Supp. 22a-231 and 22a-232 and re-
11 pealing the existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2006 Supp. 22a-231 is hereby amended to read as
15 follows: 22a-231. (a) When any person dies, or a human body is found
16 dead in the state, and the death is suspected to have been the result of
17 violence, caused by unlawful means or by suicide, or by casualty, or sud-
18 denly when the decedent was in apparent health, or when decedent was
19 not regularly attended by a licensed physician, or in any suspicious or
20 unusual manner, or when in police custody, or when in a jail or correc-
21 tional institution, or in any circumstances specified under K.S.A. 22a-242,
22 and amendments thereto, or when the determination of the cause of a
23 death is held to be in the public interest, the coroner or deputy coroner
24 of the county in which the death occurred, if known, or if not known, the
25 coroner or deputy coroner of the county in which such dead body was
26 found, shall be notified by the physician in attendance, by any law en-
27 forcement officer, by the embalmer, by any person who is or may in the
28 future be required to notify the coroner or by any other person. The
29 coroner in the county of the cause of death shall decide if an investigation
30 shall take place. If an investigation is authorized by the coroner of the
31 county of cause of death, the coroner in the county of death shall under-
32 take such investigation, with costs to be accounted to and reimbursed by
33 the county of the cause of death. Investigation may include, but is not
34 limited to, obtaining medical and law enforcement background infor-
35 mation, examination of the scene of the cause of death, inquest, autopsy,
36 and other duties required of the coroner. If the coroner of the county of
37 the cause of death requests an investigation, the coroner of the county of
38 death shall be responsible for the investigation and the certification of
39 death.

40 (b) *Whenever such death is suspected to be a result of suicide, after*
41 *all evidence has been secured, immediate family members of the decedent*
42 *who are at the scene of the death may view the scene before and after the*
43 *body has been removed.*

1 Sec. 2. K.S.A. 2006 Supp. 22a-232 is hereby amended to read as
2 follows: 22a-232. (a) Upon receipt of notice pursuant to K.S.A. 22a-231,
3 and amendments thereto, the coroner shall take charge of the dead body,
4 make inquiries regarding the cause of death and reduce the findings to a
5 report in writing. Such report shall be filed with the clerk of the district
6 court of the county in which the death occurred if known, or if not known
7 the report shall be filed with the clerk of the district court of the county
8 in which the dead body was found. If the coroner determines that the
9 dead body is not a body described by K.S.A. 22a-231, and amendments
10 thereto, the coroner shall immediately notify the state historical society.

11 (b) If in the opinion of the coroner information is present in the
12 coroner's report that might jeopardize a criminal investigation, the cor-
13 oner shall file the report with the clerk of the district court of such county
14 and designate such report as a criminal investigation record, pursuant to
15 subsection (a)(10) of K.S.A. 45-221, and amendments thereto. *If such*
16 *death is ruled to be a result of suicide, the report of the findings of the*
17 *investigation, including, but not limited to, a suicide note, shall be made*
18 *available to the immediate family members of the decedent. Such report*
19 *shall not be designated as a criminal investigation record and shall be*
20 *subject to the open records act, K.S.A. 45-215, and amendments thereto.*

21 (c) If a death investigation involves multiple jurisdictions, the coroner
22 notified under K.S.A. 22a-231, and amendments thereto, may transfer
23 jurisdiction to another jurisdiction if the coroners of both jurisdictions
24 agree to the transfer.

25 Sec. 3. K.S.A. 2006 Supp. 22a-231 and 22a-232 are hereby repealed.

26 Sec. 4. This act shall take effect and be in force from and after its
27 publication in the statute book.