

By: Representative Compretta

To: Public Health and Welfare

HOUSE BILL NO. 671

1 AN ACT TO AMEND SECTION 41-61-61, MISSISSIPPI CODE OF 1972,  
2 TO DELETE FROM THE MISSISSIPPI MEDICAL EXAMINER ACT THE PROVISION  
3 THAT ALLOWS, FOR LIMITED PURPOSES UNDER THAT ACT, NURSES,  
4 EMERGENCY MEDICAL TECHNICIANS AND OTHER COMPETENT PERSONS TO  
5 EXPRESS AN OPINION THAT A DEATH HAS OCCURRED, IN THE ABSENCE OF A  
6 PHYSICIAN; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 SECTION 1. Section 41-61-61, Mississippi Code of 1972, is  
9 amended as follows:

10 41-61-61. (1) Upon the death of any person where that death  
11 affects the public interest, the medical examiner of the county in  
12 which the body of the deceased is found or, if death occurs in a  
13 moving conveyance, where the conveyance stops and death is  
14 pronounced, shall be notified promptly by any person having  
15 knowledge or suspicion of such a death, as provided in subsection  
16 (1) of Section 41-61-59. No person shall disturb the body at the  
17 scene of such a death until authorized by the medical examiner,  
18 unless the medical examiner is unavailable and it is determined by  
19 an appropriate law enforcement officer that the presence of the  
20 body at the scene would risk the integrity of the body or provide  
21 a hazard to the safety of others. \* \* \*

22 (2) The discovery of anatomical material suspected of being  
23 part of the human body shall be promptly reported to the medical  
24 examiner of the county in which the material is found, or to the  
25 State Medical Examiner.

26 (3) A person who willfully moves, distributes or conceals a  
27 body or body part in violation of this section is guilty of a  
28 misdemeanor, and may be punished by a fine of not more than Five  
29 Hundred Dollars (\$500.00), or by imprisonment for not more than



30 six (6) months in the county jail, or by both such fine and  
31 imprisonment.

32 (4) Upon oral or written authorization of the medical  
33 examiner, if an autopsy is to be performed, the body shall be  
34 transported directly to an autopsy facility in a suitable secure  
35 conveyance, and the expenses of transportation shall be paid by  
36 the county for which the service is provided. The county may  
37 contract with individuals or make available a vehicle to the  
38 medical examiner or law enforcement personnel for transportation  
39 of bodies.

40 SECTION 2. This act shall take effect and be in force from  
41 and after July 1, 2001.

