HOUSE DOCKET, NO. 2974 FILED ON: 1/21/2011

HOUSE . . . . . No. 2350

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan and Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the release of a body by the medical examiner to a person charged with an offense which resulted in the death of the deceased.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	☐ *[District]* ☐
Kate Hogan	*3rd Middlesex*
Martin J. Walsh	*13th Suffolk*
James J. Dwyer	*30th Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Gloria L. Fox	*7th Suffolk*
Elizabeth A. Malia	*11th Suffolk*
Nick Collins	*4th Suffolk*
Kathi-Anne Reinstein	*16th Suffolk*
Cory Atkins	*14th Middlesex*
Anne M. Gobi	*5th Worcester*
Bradley H. Jones, Jr.	*20th Middlesex*
John W. Scibak	*2nd Hampshire*
Jason M. Lewis	*31st Middlesex*
Jennifer E. Benson	*37th Middlesex*

Carolyn C. Dykema	*8th Middlesex*
Thomas M. Stanley	*9th Middlesex*
Denise Andrews	*2nd Franklin*
Ann-Margaret Ferrante	*5th Essex*
William N. Brownsberger	☐ *[District]* ☐
Christine E. Canavan	*10th Plymouth*
Kimberly N. Ferguson	*1st Worcester*
Alice Hanlon Peisch	*14th Norfolk*
Katherine M. Clark	*Middlesex and Essex*
Patricia D. Jehlen	☐ *[District]* ☐
Denise Provost	*27th Middlesex*
Gailanne M. Cariddi	*1st Berkshire*
James M. Cantwell	*4th Plymouth*
Lori A. Ehrlich	*8th Essex*
James J. O'Day	*14th Worcester*
Alice K. Wolf	*25th Middlesex*

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By Representative Hogan of Stow and Senator Spilka, a joint petition (accompanied by bill, House, No. 2350) of Karen E. Spilka, Kate Hogan and others relative to the release of a body by the medical examiner to a person charged with an offense which resulted in the death of the deceased. Public Health.

The Commonwealth of Massachusetts

An Act relative to the release of a body by the medical examiner to a person charged with an offense which resulted in the death of the deceased.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 13 of chapter 38 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

"After investigation or examination by the office, the body shall be released to the person with the proper legal authority to receive it, including the surviving spouse, the next of kin if such person is aged 18 years old or older, or any family member or friend of the deceased, who shall have priority in the order named herein; provided, however, that any named person charged with or convicted of an offense which resulted in the death of the deceased, such person shall be skipped in the order of priority; provided further that such person shall be disqualified from acting as executor of the estate of the deceased."