SENATE DOCKET, NO. 187 FILED ON: 1/14/2013

SENATE . . . . . No. 1099

The Commonwealth of Massachusetts

PRESENTED BY:

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	*Second Middlesex and Norfolk*
Gerald T. Leone, Middlesex District Attorney	*15 Commonwealth Ave.* *Woburn, MA 01801*
Thomas M. Stanley	*9th Middlesex*
Kate Hogan	*3rd Middlesex*
Patricia D. Jehlen	*Second Middlesex*
Chris Walsh	*6th Middlesex*
Denise Andrews	*2nd Franklin*

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By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1099) of Karen E. Spilka, Gerald T. Leone, Middlesex District Attorney, Thomas M. Stanley, Kate Hogan and other members of the General Court for legislation 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2350* OF 2011-2012.]

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 2010 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 or administrator of the estate of the deceased."