SENATE DOCKET, NO. 1275 FILED ON: 1/20/2011

SENATE . . . . . No. 1167

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	☐ *[District]* ☐
Kate Hogan	*3rd Middlesex*
Tom Sannicandro	*7th Middlesex*
Jason M. Lewis	*31st Middlesex*
Chris Walsh	*6th Middlesex*
Ann-Margaret Ferrante	*5th Essex*
Carolyn C. Dykema	*8th Middlesex*
John W. Scibak	*2nd Hampshire*
Cory Atkins	*14th Middlesex*

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SENATE . . . . . No. 1167

By Ms. Spilka, petition (accompanied by bill, Senate, No. 1167) of Sannicandro, Atkins, Scibak 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. [Joint Committee on 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."