

**HOUSE . . . . . No. 1985**

**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 adoption of the accompanying bill:

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:                   | DATE ADDED:      |
|-------------------------------|-------------------------------------|------------------|
| <i>Kate Hogan</i>             | <i>3rd Middlesex</i>                |                  |
| <i>Karen E. Spilka</i>        | <i>Second Middlesex and Norfolk</i> | <i>1/31/2013</i> |
| <i>Jason M. Lewis</i>         | <i>Fifth Middlesex</i>              |                  |
| <i>Denise Andrews</i>         | <i>2nd Franklin</i>                 | <i>1/28/2013</i> |
| <i>Tom Sannicandro</i>        | <i>7th Middlesex</i>                |                  |
| <i>James J. Dwyer</i>         | <i>30th Middlesex</i>               |                  |
| <i>Thomas M. Stanley</i>      | <i>9th Middlesex</i>                |                  |
| <i>Cory Atkins</i>            | <i>14th Middlesex</i>               |                  |
| <i>Danielle W. Gregoire</i>   | <i>4th Middlesex</i>                |                  |
| <i>David Paul Linsky</i>      | <i>5th Middlesex</i>                |                  |
| <i>Kay Khan</i>               | <i>11th Middlesex</i>               |                  |
| <i>Carolyn C. Dykema</i>      | <i>8th Middlesex</i>                |                  |
| <i>Ann-Margaret Ferrante</i>  | <i>5th Essex</i>                    |                  |
| <i>Carl M. Sciortino, Jr.</i> | <i>34th Middlesex</i>               |                  |
| <i>Linda Dorcena Forry</i>    | <i>12th Suffolk</i>                 |                  |
| <i>Jennifer E. Benson</i>     | <i>37th Middlesex</i>               |                  |
| <i>John D. Keenan</i>         | <i>7th Essex</i>                    | <i>2/1/2013</i>  |

|                            |                       |  |
|----------------------------|-----------------------|--|
| <i>Colleen M. Garry</i>    | <i>36th Middlesex</i> |  |
| <i>James M. Cantwell</i>   | <i>4th Plymouth</i>   |  |
| <i>Gailanne M. Cariddi</i> | <i>1st Berkshire</i>  |  |
| <i>Daniel B. Winslow</i>   | <i>9th Norfolk</i>    |  |
| <i>Alice Hanlon Peisch</i> | <i>14th Norfolk</i>   |  |

**HOUSE . . . . . No. 1985**

---

---

By Ms. Hogan of Stow and Senator Spilka, a joint petition (accompanied by bill, House, No. 1985) of 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.

---

---

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

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Thirteen**  
\_\_\_\_\_

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:*

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

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