

Substituted by SF 2359
4-10-96

2/29/96 Do Pass

(P. 1531)

FEB 20 1996

LOCAL GOVERNMENT

HOUSE FILE

2249

BY MYERS

WITHDRAWN 4-10-96 (P. 1532)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to payments by counties and certain defendants of
2 the fees and expenses received by a county medical examiner in
3 investigating a person's death.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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WITHDRAWN

HF 2249

1 Section 1. Section 331.802, subsection 2, Code 1995, is
2 amended to read as follows:

3 2. If a person's death affects the public interest, the
4 county medical examiner shall conduct a preliminary
5 investigation of the cause and manner of death, prepare a
6 written report of the findings, promptly submit the full
7 report to the state medical examiner on forms prescribed for
8 that purpose, and submit a copy of the report to the county
9 attorney. For each preliminary investigation and the
10 preparation and submission of the required reports, the county
11 medical examiner shall receive a fee determined by the board
12 plus the examiner's actual expenses. The fee and expenses
13 shall be paid by the county ~~for which the service is provided~~
14 of the person's residence. However, if the person's death is
15 caused by a defendant for whom a judgment of conviction and
16 sentence is rendered under section 707.2, 707.3, 707.4, 707.5,
17 or 707.6A, the county of the person's residence may recover
18 from the defendant the fee and expenses. The fee and expenses
19 of the county medical examiner who performs an autopsy or
20 conducts an investigation of a person who dies after being
21 brought into this state for emergency medical treatment by or
22 at the direction of an out-of-state law enforcement officer or
23 public authority shall be paid by the state. A claim for
24 payment shall be filed with the Iowa department of public
25 health.

26 Sec. 2. NEW SECTION. 910.3A NOTIFICATION OF A HOMICIDE
27 VICTIM'S COUNTY OF RESIDENCE.

28 The county attorney of a county in which a judgment of
29 conviction and sentence under section 707.2, 707.3, 707.4,
30 707.5, or 707.6A is rendered against a defendant relating to a
31 person's death, shall notify in writing the clerk of the
32 district court of the county of the person's residence. Such
33 notification shall be for the purpose of the county of the
34 person's residence recovering from the defendant the fee and
35 expenses incurred investigating the person's death pursuant to

1 section 331.802, subsection 2.

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EXPLANATION

3 Section 1 of the bill provides that the fee and expenses
 4 incurred by a county investigating a person's death shall be
 5 paid by the county of the person's residence. Existing law
 6 provides that the fee and expenses are paid by the county
 7 conducting such an investigation. Section 1 also provides
 8 that if the person's death is caused by a defendant for whom a
 9 judgment of conviction and sentence is rendered for murder in
 10 the first or second degree, voluntary or involuntary
 11 manslaughter, or homicide by vehicle, the county of the
 12 person's residence may recover from the defendant the fee and
 13 expenses.

14 Section 2 of the bill requires the county attorney of a
 15 county in which a judgment of conviction and sentence for
 16 first or second degree murder, voluntary or involuntary
 17 manslaughter, or homicide by vehicle is rendered against a
 18 defendant relating to a person's death, to notify the clerk of
 19 the district court of the county of the person's residence.
 20 Such notification is for the purpose of the county of the
 21 person's residence recovering from the defendant the fee and
 22 expenses incurred investigating the person's death.

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