STATE OF TENNESSEE

PUBLIC CHAPTER NO. 276

SENATE BILL NO. 1517

By Burchett, Ford, Marrero, Black, Burks

Substituted for: House Bill No. 1527

By Harry Brooks, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 39, relative to autopsies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-7-119, is amended by designating the existing language of subsection (a) as subdivision (1) and by adding the following language as a new subdivision (a)(2):

(2) No person shall distribute, publish or otherwise disseminate any autopsy photographs, videotape or other visual image or any autopsy audio recording without the written consent of the next of kin or personal representative in the order established pursuant to subsection (c)(1)(A), unless such use is consistent with the provisions of subdivision (c)(1)(B), (c)(1)(C) or (c)(1)(D).

SECTION 2. Tennessee Code Annotated, Section 38-7-119, is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f)(1) A violation of subsection (a)(1) is a Class A misdemeanor punishable by fine only.

(2) A violation of subsection (a)(1) is a Class A misdemeanor punishable by fine or imprisonment if the chief medical examiner, a county medical examiner, coroner or pathologist, or an agent or employee of the chief medical examiner, a county medical examiner, coroner or pathologist, receives compensation or other thing of value as an inducement to violate this section.

(3) A violation of subsection (a)(2) is a Class A misdemeanor.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.

PASSED: May 11, 2009

RON RAMSEY
SPEAKER OF THE SENATE

KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of May 2009

PHIL BREDESEN, GOVERNOR