

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIRST LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1050**

Introduced by Price, 3.

Read first time January 21, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to coroners; to amend section 23-1824,  
2 Reissue Revised Statutes of Nebraska; to require a  
3 second coroner's opinion as prescribed; and to repeal  
4 the original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 23-1824, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           23-1824 (1) The county coroner or coroner's physician  
4 shall perform, at county expense, an autopsy on any person less  
5 than nineteen years of age who dies a sudden death, except that  
6 no autopsy needs to be performed if (a) the death was caused  
7 by a readily recognizable disease or the death occurred due to  
8 trauma resulting from an accident and (b) the death did not occur  
9 under suspicious circumstances. The Attorney General shall create,  
10 by July 1, 2007, guidelines for county coroners or coroner's  
11 physicians regarding autopsies on persons less than nineteen years  
12 of age.

13           (2) The county coroner or coroner's physician shall  
14 attempt to establish, by a reasonable degree of medical certainty,  
15 the cause or causes of the death, and shall thereafter certify  
16 the cause or causes of death to the county attorney. No cause of  
17 death shall be certified as sudden infant death syndrome unless an  
18 autopsy, a death scene investigation, and a review of the child's  
19 medical history reveal no other possible cause. If the initial  
20 autopsy establishes, by a reasonable degree of medical certainty,  
21 that the death occurred under suspicious circumstances while such  
22 person was in the care of a child care provider, a second opinion  
23 regarding the cause or causes of death shall be required, at county  
24 expense, by a qualified coroner or coroner's physician from a  
25 different county.

1                   (3) A county may request reimbursement of up to fifty  
2 percent of the cost of an autopsy from the Attorney General.  
3 Reimbursement requests may include, but not be limited to, costs  
4 for expert witnesses and complete autopsies, including toxicology  
5 screens and tissue sample tests. The Attorney General shall place  
6 an emphasis on autopsies of children five years of age and younger.

7                   Sec. 2. Original section 23-1824, Reissue Revised  
8 Statutes of Nebraska, is repealed.