

1 HOUSE BILL NO. 459

2 INTRODUCED BY R. HEINERT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE RESPECTFUL TRANSPORTATION AND
5 DELIVERY OF A FETUS WHEN AN AUTOPSY IS REQUIRED; AND AMENDING SECTION 46-4-123, MCA."

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7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9 **Section 1.** Section 46-4-123, MCA, is amended to read:

10 **"46-4-123. Inquiry report.** The coroner shall make a full report of the facts discovered in all human
11 deaths requiring an inquiry under the provisions of 46-4-122. In the case of a fetal death inquiry under 46-4-122,
12 the department of justice shall adopt rules for respectful transportation and delivery of the fetus to the place where
13 the autopsy will be performed. THE RULES MUST REQUIRE THAT A FETUS BE TRANSPORTED IN A CRUSH-PROOF
14 CONTAINER AND BE LABELED WITH THE WORDS "FRAGILE--HUMAN REMAINS INSIDE". The report must be made in
15 triplicate on a form provided by the division of forensic sciences of the department of justice. The coroner and
16 the medical examiner shall each retain one copy and shall deliver the other copy to the county attorney. If the
17 coroner orders an autopsy during the course of an inquiry, ~~he~~ the coroner shall also provide the medical examiner
18 with a copy of the autopsy report. The forms must be completed and distributed as provided in this section as
19 promptly as practicable."

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