



March 15, 2019

ENGROSSED HOUSE BILL No. 1084

DIGEST OF HB 1084 (Updated March 13, 2019 12:40 pm - DI 133)

Citations Affected: IC 36-2.

Synopsis: Identification through surgical implants. Allows a coroner to positively identify a dead person by tracking a unique identifying number on a surgically implanted medical device in the dead person's body.

Effective: July 1, 2019.

Morrison, Lehman, Bacon, Hatfield

(SENATE SPONSORS — FORD JON, BROWN L, BUSCH)

January 3, 2019, read first time and referred to Committee on Public Health.
January 14, 2019, reported — Do Pass.
January 17, 2019, read second time, ordered engrossed. Engrossed.
January 22, 2019, read third time, passed. Yeas 97, nays 1.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Health and Provider Services.
March 14, 2019, reported favorably — Do Pass.

EH 1084—LS 6986/DI 87



March 15, 2019

First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1084

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-2-14-6.5, AS ADDED BY P.L.157-2007,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 6.5. (a) As used in this section, "DNA analysis"
4 means an identification process in which the unique genetic code of an
5 individual that is carried by the individual's deoxyribonucleic acid
6 (DNA) is compared to genetic codes carried in DNA found in bodily
7 substance samples obtained by a law enforcement agency in the
8 exercise of the law enforcement agency's investigative function.
9 (b) As used in this section, "immediate family member" means, with
10 respect to a particular dead person, an individual who is at least
11 eighteen (18) years of age and who is one (1) of the following:
12 (1) The dead person's spouse.
13 (2) The dead person's child.
14 (3) The dead person's parent.
15 (4) The dead person's grandparent.
16 (5) The dead person's sibling.
17 (c) The coroner shall make a positive identification of a dead person

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- 1 unless extraordinary circumstances described in subsection (d) exist.
2 In making a positive identification, the coroner shall determine the
3 identity of a dead person by one (1) of the following methods:
4 (1) Fingerprint identification.
5 (2) DNA analysis.
6 (3) Dental record analysis.
7 **(4) Tracking a unique identifying number on a medical device**
8 **(as defined in IC 24-4-12-7) that is surgically implanted in the**
9 **dead person's body.**
10 ~~(4)~~ **(5)** Positive identification by at least one (1) of the dead
11 person's immediate family members if the dead person's body is
12 in a physical condition that would allow for the dead person to be
13 reasonably recognized.
14 (d) For the purposes of subsection (c), extraordinary circumstances
15 exist if, after a thorough investigation, the coroner determines that
16 identification of the dead person is not possible under any of the ~~four~~
17 ~~(4)~~ **five (5)** methods described in subsection (c).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1084, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1084 as introduced.)

KIRCHHOFFER

Committee Vote: Yeas 12, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1084, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1084 as printed January 15, 2019.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 10, Nays 0

