



2025-2026 General Assembly

SENATE BILL 429: 2025 Public Safety Act, Sec. 2: Revise Laws Pertaining to the Disclosure and Release of Autopsy Information Compiled or Prepared by the Office of the Chief Medical Examiner

Analysis of: S.L. 2025-70, Sec. 2

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Prepared by: Legislative Analysis
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Section 2 of S.L. 2025-70 (Senate Bill 429) amends the statutes relating to the availability of autopsy records by doing the following:

- For autopsies related to criminal investigations, upon notice from the investigating law enforcement agency or prosecuting district attorney, the records would not be a public record until the holder of the records is notified that the criminal investigation or prosecution has concluded, a determination has been made to terminate the criminal investigation, or some portion of the records have been introduced as evidence at a public trial. The records would only be permitted to be released to the following persons or for the following purposes:
 - To the personal representative of the decedent's estate to fulfill lawful duties, to a beneficiary of a benefit or claim related to the decedent's death for purposes of receiving the benefit, or to the decedent's spouse, child or stepchild, parent or stepparent, sibling, or legal guardian.
 - By the entity performing the autopsy as necessary to conduct a thorough and complete death investigation, to consult outside physicians and other professionals, and to conduct necessary toxicological screenings.
 - When disclosing information to the investigating public law enforcement agency or prosecuting district attorney.
 - When necessary to address public health or safety concerns, for public health purposes, to facilitate research, to facilitate education, to release decedent remains to transporters, funeral homes, family members, or others for final disposition, to comply with State or federal reporting requirements or in connection with State or federal grants, or to comply with any other duties imposed by law.
- For autopsies related to the death of a child under the age of 18, the records would not be a public record and may only be released with the written consent of the child's parent or guardian. Without that consent, the records may only be released to the following persons or for the following purposes:
 - To the personal representative of the decedent's estate to fulfill lawful duties, or to a beneficiary of a benefit or claim associated with the decedent for purposes of receiving the benefit or resolving the claim.

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- When necessary to conduct a thorough and complete death investigation, to consult with outside physicians and other professionals during the investigation, and to conduct necessary toxicology screenings.
- When necessary to address public health or safety concerns, for public health purposes, to facilitate research, to facilitate education, to release decedent remains for final disposition, to comply with State or federal reporting requirements or in connection with State or federal grants, or to comply with any duty imposed by law.
- The deceased's surviving spouse, parents, children or children's legal guardian or custodian, the deceased's legal guardian or custodian, or any person holding power of attorney of healthcare attorney for the deceased.
- The legal representatives of any person authorized to receive records.
- For autopsy records that are both criminal investigation records and records of the death of a child under the age of 18, the provisions related to criminal investigations would prevail.
- Persons that disclose or release records in violations of these provisions will be guilty of a Class 1 misdemeanor.

This section became effective October 1, 2025.