

**ASSEMBLY BILL**

**No. 345**

---

---

**Introduced by Assembly Member Pan**

February 13, 2013

---

---

An act to amend Section 27472 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 345, as introduced, Pan. Counties: coroners.

Existing law authorizes a coroner, upon authorization by the county board of supervisors, to charge and collect the actual expense incurred by the coroner in removing the body from the place of death and keeping the body until its release, from the person entitled to control the disposition of the remains, as specified. Existing law prohibits the charge in cases in which the coroner ascribes the death to the criminal act of another, unless the coroner has reasonable grounds to believe that the deceased was involved in any criminal activity that contributed to his or her own death.

This bill would instead prohibit the charge in cases in which the law enforcement agency investigating the death ascribes the death to the criminal act of another, unless the law enforcement agency investigating the death has reasonable grounds to believe that the deceased was involved in any criminal activity that contributed to his or her own death.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 27472 of the Government Code is  
 2 amended to read:  
 3 27472. If authorized by the county board of supervisors by  
 4 ordinance, the coroner, whenever he or she takes custody of a dead  
 5 body pursuant to law, may charge and collect from the person  
 6 entitled to control the disposition of the remains, as specified in  
 7 Section 7100 of the Health and Safety Code, the actual expense  
 8 incurred by the coroner in removing the body from the place of  
 9 death and keeping the body until its release to the person  
 10 responsible for its interment. The charge shall not exceed one  
 11 hundred dollars (\$100), *and* shall not be imposed upon a person  
 12 who claims and proves to be indigent, ~~or~~ in cases in which the  
 13 body is that of a child not more than 14 years of age, or in cases  
 14 in which the ~~coroner~~ *law enforcement agency investigating the*  
 15 *death* ascribes the death to the criminal act of another unless the  
 16 ~~coroner~~ *law enforcement agency investigating the death* has  
 17 reasonable grounds to believe that the deceased was involved in  
 18 any criminal activity ~~which~~ *that* contributed to his or her own  
 19 death. The charge shall not include expenses of keeping the body  
 20 during the time necessary for the coroner to perform his or her  
 21 duties in connection with it. The charge, if not paid, may be  
 22 considered a part of the funeral expenses and paid as a preferred  
 23 charge against the estate of the decedent.

O