

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 444
SENATE BILL 61

1 AN ACT TO REWRITE AND CLARIFY THE STATUTORY LIMITATION-UPON-RIGHT
2 TO PERFORM AUTOPSY.

3
4 The General Assembly of North Carolina do enact:

5
6 **Section 1.** G.S. 90-217 as the same appears in the 1967 Cumulative Supplement to
7 1965 Replacement Volume 2C is hereby amended and rewritten to read as follows:

8 **"Sec. 90-217. Limitation on right to perform autopsy.** The right to perform an autopsy shall
9 be limited to those cases in which:

10 "(a) the Chief Medical Examiner or the medical examiner of a county, acting pursuant to
11 G.S. 130-200, directs that an autopsy be performed;

12 "(b) a prosecuting officer or solicitor acting pursuant to G.S. 15-7 in case of homicide,
13 directs that an autopsy be performed;

14 "(c) the decedent directs in writing that an autopsy be performed in connection with his
15 death;

16 "(d) the personal representative of the estate of the decedent requests that an autopsy be
17 performed upon the decedent;

18 or

19 "(e) any of the following persons, in order of priority, when persons in prior classes are
20 not available at the time of death, and in the absence of actual notice of contrary indications by
21 the decedent or actual opposition by a member of the same or prior class, authorizes an autopsy
22 to be performed:

23 (1) The spouse,

24 (2) Any adult son, adult daughter or adult step-son or adult step-daughter.

25 (3) Any parent or step-parent, including the mother of an illegitimate child
26 decedent,

27 (4) Any adult brother, adult sister, or adult half- brother or adult half-sister,

28 (5) any other relative or person who accepts responsibility for burial or final
29 disposition of the body by other customary and lawful procedures,

30 (6) Any other person charged by law with the duty of burial or final disposition
31 of the body by other customary and lawful procedures.

32 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

33 **Sec. 3.** This Act shall become effective October 1, 1969.

34 In the General Assembly read three times and ratified, this the 7th day of May,

35 1969.