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AB-620 Coroner: sudden unexplained death in childhood. (2019-2020)

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Assembly Bill No. 620

CHAPTER 614

An act to add Section 27491.42 to the Government Code, relating to local government.

[Approved by Governor October 08, 2019. Filed with Secretary of State October 08, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 620, Cooley. Coroner: sudden unexplained death in childhood.

Existing law requires the coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, including, but not limited to, a sudden or unusual death. Existing law, with certain exceptions, requires the coroner to, among other things, perform an autopsy, within 24 hours or as soon thereafter as feasible, in any case where an infant under one year of age has died suddenly and unexpectedly and authorizes the coroner to take tissue samples without parental consent.

This bill would, in addition, define "sudden unexplained death in childhood" as the sudden death of a child one year of age or older but under 18 years of age that is unexplained by the history of the child and for which a thorough postmortem examination fails to demonstrate an adequate cause of death. The bill would require the coroner to notify the parent or responsible adult of a child within that definition about the importance of taking tissue samples. The bill would exempt the coroner from liability for damages in a civil action for any act or omission done in compliance with these provisions.

By expanding the duties of coroners, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 27491.42 is added to the Government Code, immediately following Section 27491.41, to read:

27491.42. (a) For purposes of this section, "sudden unexplained death in childhood" means the sudden death of a child one year of age or older but under 18 years of age that is unexplained by the history of the child and where a thorough postmortem examination fails to demonstrate an adequate cause of death.

(b) The coroner shall notify the parent or responsible adult of a child described in subdivision (a) about the importance of taking tissue samples.

(c) A coroner shall not be liable for damages in a civil action for any act or omission in compliance with this section.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.