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AB-1859 Coroners: duties. (2023-2024)

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Assembly Bill No. 1859

CHAPTER 684

An act to add Section 27523 to the Government Code, relating to coroners.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1859, Alanis. Coroners: duties.

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths. Existing law either requires or authorizes a county coroner, under certain circumstances, to perform, or cause to be performed, an autopsy on a decedent. Existing law imposes certain requirements on a coroner conducting a postmortem examination or autopsy on an unidentified body or human remains. Existing law requires a coroner to investigate deaths that occurred under specified conditions, including without medical attendance, to ascertain as many of the facts as possible.

This bill would authorize a coroner to test the bodily fluid of a deceased person for the presence of xylazine if the coroner reasonably suspects the person died from an accidental or intentional opioid overdose or if the person was administered an overdose intervention drug prior to death and was unresponsive to the drug. If the testing is conducted, the bill would require the coroner to report a positive result to the Overdose Detection Mapping Application Program and provide the State Department of Public Health with a quarterly report on positive results, as specified. The bill would require the department to post specified information, including, among other things, the total number of xylazine-positive results reported to the department, on the California Overdose Surveillance Dashboard located on the department's internet website.

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

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

SECTION 1. Section 27523 is added to the Government Code, to read:

27523. (a) A coroner may test the bodily fluid extracted during the autopsy of a deceased person to determine if any amount, including a trace amount, of xylazine was present at the time of the person's death in either of the following circumstances:

- (1) The coroner reasonably suspects that the cause of the person's death was an accidental or intentional overdose of an opioid.
- (2) The person was administered an overdose intervention drug prior to death and was unresponsive to the overdose intervention drug.

(b) If the coroner conducts a test pursuant to subdivision (a), the coroner shall report a positive result indicating the presence of xylazine to the Overdose Detection Mapping Application Program managed by the Washington/Baltimore High Intensity Drug Trafficking Area program and provide the State Department of Public Health with a quarterly report on positive results that includes the total number of tests performed and the State File Number from the death certificate of each positive case.

(c) The department shall post the following information on the California Overdose Surveillance Dashboard located on the department's internet website:

- (1) The total number of xylazine-positive results reported to the department.
- (2) The number of xylazine-positive results by county.
- (3) The number of xylazine-positive overdose deaths, per 100,000 population.