

this act, the additional sum of one million eight hundred fifty thousand dollars, or so much thereof as may be necessary.

Effective
date.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions and shall take effect April 1, 1953.

Passed the Senate March 11, 1953.

Passed the House March 9, 1953.

Approved by the Governor March 18, 1953.

CHAPTER 188.

[S. B. 91.]

INQUESTS, AUTOPSIES AND POST MORTEMS—STATE TOXICOLOGICAL LABORATORY.

AN ACT relating to jurisdiction over inquests, autopsies and post-mortems in certain cases; prescribing the powers and duties of certain officers; providing certain procedures; defining crimes and prescribing certain penalties; determining responsibility for certain costs; amending sections 68.08-.010, 68.08.100, 36.24.020, 36.24.070, and 70.58.180, RCW; adding new sections to chapter 68.08, RCW; and declaring an emergency.

*Be it enacted by the Legislature of the State of
Washington:*

Amendment.

SECTION 1. Section 68.08.010, RCW, as derived from section 3, chapter 90, Laws of 1917, is amended to read as follows:

Dead bodies;
jurisdiction
of coroner.

The jurisdiction of bodies of all deceased persons who come to their death suddenly without medical attendance, or where the circumstances of death indicate death was caused by unnatural or unlawful means, or suspicious circumstances, or bodies upon which a coroner's autopsy or post-mortem or coroner's inquest is to be held, or dead bodies not claimed by relatives or friends, is hereby vested in the county coroner, which bodies may be placed in

Placement
in morgue.

the morgue under such rules as are adopted by him with the approval of the county commissioners, having jurisdiction, providing therein how the bodies shall be brought to and cared for at the morgue and held for the proper identification where necessary.

SEC. 2. Section 68.08.100, RCW, as derived from section 237, chapter 249, Laws of 1909, is amended to read as follows: Amendment.

The right to dissect a dead body shall be limited to cases specially provided by statute or by the direction or will of the deceased; cases where a coroner is authorized to hold an inquest upon the body, and then only as he may authorize dissection; and cases where the spouse or next of kin charged by law with the duty of burial shall authorize dissection for the purpose of ascertaining the cause of death, and then only to the extent so authorized: *Provided*, That the coroner, in his discretion, may make or cause to be made by a competent pathologist, toxicologist, or physician, an autopsy or post-mortem in all cases in which death occurred by violence, or suspicious circumstances, or where an inquest is to be held, or where death occurred in prison, jail or while serving a sentence, or where death occurred suddenly and without medical attendance, or from unnatural causes, or under circumstances indicating the possibility of death by the hand of the deceased or through the instrumentality of some other person. Every person who shall make, cause, or procure to be made any dissection of a body, except as above provided, shall be guilty of a gross misdemeanor. Dead bodies; dissection.

Autopsies and post-mortems.

Penalty for unauthorized dissection.

SEC. 3. Section 36.24.020, RCW, as derived from section 2777, Code of 1881, is amended to read as follows: Amendment.

Any coroner, in his discretion, may hold an inquest if he suspects that the death of a person was unnatural, or violent, or resulted from unlawful Coroner's inquest; when authorized.

Traffic deaths. means, or from suspicious circumstances, or was of such a nature as to indicate the possibility of death by the hand of the deceased or through the instrumentality of some other person: *Provided*, That, except under suspicious circumstances, no inquest shall be held following a traffic death.

Jury. The coroner shall summon six good and lawful persons to serve as jurors and to hear all the evidence concerning the death and to inquire into and render a true verdict on the cause of death.

Prosecuting attorneys. The prosecuting attorney having jurisdiction shall be notified in advance of any such inquest to be held, and at his discretion may be present at and assist the coroner in the conduct of the same. The coroner may adjourn the inquest from time to time as he may deem necessary.

Adjournments. The costs of inquests shall be borne by the county in which the inquest is held.

Costs. SEC. 4. Section 36.24.070, RCW, as derived from section 2782, Code of 1881, is amended to read as follows:

Coroner's inquest; verdict. After hearing the testimony, the jury shall render its verdict and certify the same in writing signed by the jurors, and setting forth who the person killed is, if known, and when, where and by what means he came to his death; or if he was killed, or his death was occasioned by the act of another by criminal means, who is guilty thereof, if known.

Amendment. SEC. 5. Section 70.58.180, RCW, as derived from section 3, chapter 159, Laws of 1945, is amended to read as follows:

Death or stillbirth when no physician in attendance; notice to coroner or prosecuting attorney. If the death occurred without medical attendance, the funeral director or person in charge of interment shall notify the coroner, or prosecuting attorney if there is no coroner in the county. If the circumstances suggest that the death or still-birth was caused by unlawful or unnatural causes or if there is

no local health officer with jurisdiction, the coroner, or if none, the prosecuting attorney shall complete and sign the certification, noting upon the certificate that no physician was in attendance at the time of death. In case of any death without medical attendance in which there is no suspicion of death from unlawful or unnatural causes, the local health officer or his deputy, the coroner and if none, the prosecuting attorney, shall complete and sign the certification, noting upon the certificate that no physician was in attendance at the time of death, and noting the cause of death without the holding of an inquest or performing of an autopsy or post-mortem, but from statements of relatives, persons in attendance during the last sickness, persons present at the time of death or other persons having adequate knowledge of the facts.

Preparation
of death
certificate.

The cause of death, the manner and mode in which death occurred, as noted by the coroner or if none, the prosecuting attorney or the health officer and incorporated in the death certificate filed with the bureau of vital statistics of the board of health shall be the legally accepted manner and mode by which the deceased came to his or her death and shall be the legally accepted cause of death.

Legal effect
of death
certificate.

SEC. 6. There is added to chapter 68.08, RCW, a new section to read as follows:

New section.

In an industrial death where the cause of death is unknown, and where the department of labor and industries is concerned, said department in its discretion, may request the coroner in writing to perform an autopsy to determine the cause of death. The coroner shall be required to promptly perform such autopsy upon receipt of the written request from the department of labor and industries.

Autopsy
where
industrial
death.

SEC. 7. There is added to chapter 68.08, RCW, a new section to read as follows:

New section.

Cost of autopsy.

The cost of autopsy shall be borne by the county in which the autopsy is performed, except when requested by the department of labor and industries, in which case, the said department shall bear the cost of such autopsy.

New section.

SEC. 8. There is added to chapter 68.08, RCW, a new section to read as follows:

Embalming or cremation of dead bodies subject to autopsy or post-mortem.

No dead body upon which the coroner, or prosecuting attorney, if there be no coroner in the county, may perform an autopsy or post-mortem, shall be embalmed or cremated without the consent of the coroner having jurisdiction, and failure to obtain such consent shall be a misdemeanor: *Provided*, That such autopsy or post-mortem must be performed within five days, unless the coroner shall obtain an order from the superior court extending such time.

New section.

SEC. 9. There is added to chapter 68.08, RCW, a new section to read as follows:

Reports and records of autopsies and post-mortems confidential.

Reports and records of autopsies or post-mortems shall be confidential, except to the prosecuting attorney or law enforcement agencies having jurisdiction, or to the department of labor and industries in cases in which it has requested the autopsy.

New section.

SEC. 10. There is added to chapter 68.08, RCW, a new section to read as follows:

Coroner's power to cause specific analysis if autopsy or post-mortem performed.

In any case in which an autopsy or post-mortem is performed, the coroner, upon his own authority or upon the request of the prosecuting attorney or other law enforcement agency having jurisdiction, may make or cause to be made an analysis of the stomach contents, blood, or organs, or tissues of a deceased person and secure professional opinions thereon and retain any specimens or organs of the deceased which in his discretion are desirable or needful for anatomic, bacteriological, chemical or toxicological ex-

amination or upon lawful request are needed or desired for evidence to be presented in court. Costs shall be borne by the county.

Costs.

SEC. 11. There is added to chapter 68.08, RCW, a new section to read as follows:

New section.

Autopsy or post-mortem may be performed in any case in which the deceased's spouse, parent, child, brother or sister, or any other kin or person having the responsibility for burial may authorize the autopsy or post-mortem to be performed.

Who may authorize autopsy or post-mortem.

SEC. 12. There is added to chapter 68.08, RCW, a new section to read as follows:

New section.

Any party by showing just cause may petition the court to have autopsy made and results thereof made known to said party at his own expense.

Petition to court for autopsy.

SEC. 13. There shall be established at the University of Washington Medical School a state toxicological laboratory under the direction of a competent toxicologist whose duty it will be to perform all necessary toxicologic procedures requested by all coroners and prosecuting attorneys. The facilities of the police school of the Washington State College and the services of its professional staff shall be made available to the coroners and the prosecuting attorneys in their investigations under this chapter. This laboratory shall be deemed to be within the meaning of medical and biological research as defined in RCW 43.66.080, and funds for this purpose not to exceed twenty-five thousand dollars shall be provided for setting up such laboratory and an additional amount not to exceed fifty thousand dollars per biennium may be provided for salaries for staff of said laboratory, and the funds so provided may take priority over disbursements of any other sums from said medical and biological research fund.

State toxicological laboratory established.

Washington State College police school facilities available to coroners and prosecuting attorneys.

Funds for state toxicological laboratory.

SEC. 14. This act is necessary for the immediate

Emergency.

preservation of the public peace, health and safety, and shall take effect immediately.

Passed the Senate March 11, 1953.

Passed the House March 10, 1953.

Approved by the Governor March 18, 1953.

CHAPTER 189.

[S. B. 117.]

PROPERTY TAXES—EXCESS LEVIES.

AN ACT relating to the authorization of excess property tax levies by certain taxing districts; amending section 84.52-.052, RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Amendment.

SECTION 1. Section 84.52.052, RCW, as derived from section 3, chapter 23, Laws of 1951, Second Extraordinary Session, is amended to read as follows:

Excess levy; general obligation bonds outstanding Dec. 6, 1934.

The limitations imposed by RCW 84.52.050 to 84.52.056, inclusive, shall not prevent the levy of additional taxes, not in excess of five mills a year and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, or the levy of additional taxes to pay interest on or toward the reduction, at the rates provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 6, 1932; but this millage limitation with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, school district, metropolitan park dis-

Warrants outstanding Dec. 6, 1932.