

April 21, 2005

**H 1543. AUTOPSY PHOTOS NOT PUBLIC RECORD. TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT PUBLIC RECORDS AND TO ALLOW FOR LIMITED ACCESS TO RECORDED IMAGES OF AN AUTOPSY BY THE PUBLIC.** Enacts new GS 132-1.8 to provide that except as provided in GS 130A-389.1, a photograph or a video or audio recording of an official autopsy is not a public record under GS 132-1. However, text of autopsy report, including findings and interpretations prepared in accordance with GS 130A-389(a), is a public record. Deletes provision in GS 130A-389 requiring autopsy report to be furnished to authorizing medical examiner, district attorney, or superior court judge. Enacts new GS 130A-389.1 to allow certain public officials (chief medical examiner, investigating medical examiner, district attorney, superior court judge, investigating law enforcement officers) to obtain copies of autopsy photographs or video or audio recordings for official use only; they may not disclose them to the public except as provided by law. These items may also be obtained by personal representative of deceased, person authorized by order issued in special proceeding as set out in bill, and medical examiner and others for teaching purposes after redacting identifying information about deceased; unauthorized disclosure is Class I felony. Provisions restricting access to these items do not apply in criminal, civil, or administrative proceedings, except court may restrict disclosure. Effective July 1, 2005, and applicable to offenses committed on or after that date. Act applies to unauthorized disclosures occurring on or after July 1, 2005, regardless of whether autopsy was performed before or after that date.

**Intro. by Ray.**

Ref. to Judiciary IV

GS 130A, 132

May 31, 2005

**H 1543. AUTOPSY PHOTOS NOT PUBLIC RECORD.** Intro. 4/21/05. House committee substitute makes the following changes to 1st edition. Amends proposed new GS 130A-389.1(c) to include among persons who may obtain copies of autopsy photographs or recordings a NC licensed physician who uses the copies to confer with attorneys or others with a professional need to use or understand forensic science. Modifies proposed new GS 130A-389.1(g) to make unauthorized disclosure of autopsy photographs or recordings a Class 2 misdemeanor (rather than a Class I felony), and modifies proposed new GS 130A-389.1(h) to make unauthorized removal, copying, or creation of an image of an autopsy photograph or recording with intent to steal a Class 1 misdemeanor (instead of a Class H felony). Also makes technical changes.

August 12, 2005

**H 1543. AUTOPSY PHOTOS NOT PUBLIC RECORD.** Intro. 4/21/05. Senate committee substitute makes the following changes to 2nd edition. Makes act effective December 1, 2005.

September 21, 2005

**SL 2005-393 (H 1543). AUTOPSY PHOTOS NOT PUBLIC RECORD. AN ACT TO PROVIDE THAT PHOTOGRAPHS AND VIDEO OR AUDIO RECORDINGS MADE PURSUANT TO AN AUTOPSY ARE NOT PUBLIC RECORDS AND TO ALLOW FOR LIMITED ACCESS TO RECORDED IMAGES OF AN AUTOPSY BY THE PUBLIC.** Summarized in *Daily Bulletin* 4/21/05, 5/31/05, and 8/12/05. Enacted September 13, 2005. Effective December 1, 2005.