

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 614
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40360-MG-45A

Short Title: The Michael Mitchke F.I.N.E. Law. (Public)

Sponsors: Representative Almond.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING THE PERFORMANCE OF AN AUTOPSY IN ANY CASE RELATED
3 TO A FIRE INCIDENT IN WHICH HUMAN REMAINS ARE FOUND.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** This act shall be known as "The Michael Mitchke F.I.N.E. Law."

6 **SECTION 2.** G.S. 130A-389(a) reads as rewritten:

7 "(a) The Chief Medical Examiner or a competent pathologist designated by the Chief
8 Medical Examiner shall perform an autopsy or other study in each of the following cases:

9 (1) If, in the opinion of the medical examiner investigating the case or of the Chief
10 Medical Examiner, it is advisable and in the public interest that an autopsy or
11 other study be made.

12 (2) If an autopsy or other study is requested by the district attorney of the county
13 or by any superior court judge.

14 (3) Notwithstanding subdivision (2) of this subsection, in any case in which the
15 district attorney of the county asserts to the Chief Medical Examiner or the
16 medical examiner of the county in which the body was located that there is
17 probable cause to believe that a violation of G.S. 14-18.4 has occurred, a
18 complete autopsy shall be performed. The district attorney has at least 72
19 weekday hours after pronouncement of death by a person authorized under
20 this Part to express the opinion that death has occurred to make the assertion
21 required by this subdivision, provided that the district attorney or the
22 investigating law enforcement agency provides notification within the first 24
23 hours after the pronouncement that such an assertion might be made. The
24 district attorney may, but is not required to, assert to the Chief Medical
25 Examiner the facts supporting probable cause to believe that a violation of
26 G.S. 14-18.4 has occurred.

27 (4) In any case related to a fire incident in which human remains are found.

28 A complete autopsy report of findings and interpretations, prepared on forms designated for
29 the purpose, shall be submitted promptly to the Chief Medical Examiner. Subject to the
30 limitations of G.S. 130A-389.1 relating to photographs and video or audio recordings of an
31 autopsy, a copy of the report shall be furnished to any person upon request."

32 **SECTION 3.** This act becomes effective October 1, 2025, and applies to cases
33 arising on or after that date.

