

HOUSE BILL No. 1181

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-2-14.

Synopsis: Identification of human remains. Allows a county coroner to make positive identification of human remains by an analysis of any unique tattoos.

Effective: July 1, 2021.

Morrison

January 7, 2021, read first time and referred to Committee on Public Health.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1181

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-2-14-1.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 1.7. As used in this chapter, "tattoo" means:**
4 **(1) any indelible design, letter, scroll, figure, symbol, or other**
5 **mark placed with the aid of needles or other instruments; or**
6 **(2) any design, letter, scroll, figure, or symbol done by**
7 **scarring;**
8 **upon or under the skin.**

9 SECTION 2. IC 36-2-14-6.5, AS AMENDED BY P.L.211-2019,
10 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2021]: Sec. 6.5. (a) As used in this section, "DNA analysis"
12 means an identification process in which the unique genetic code of an
13 individual that is carried by the individual's deoxyribonucleic acid
14 (DNA) is compared to genetic codes carried in DNA found in bodily
15 substance samples obtained by a law enforcement agency in the
16 exercise of the law enforcement agency's investigative function.
17 (b) As used in this section, "human remains" has the meaning set



- 1 forth in IC 35-45-19-1.5.
- 2 (c) As used in this section, "immediate family member" means, with
3 respect to the human remains of a particular dead person, an individual
4 who is at least eighteen (18) years of age and who is one (1) of the
5 following:
- 6 (1) The dead person's spouse.
7 (2) The dead person's child.
8 (3) The dead person's parent.
9 (4) The dead person's grandparent.
10 (5) The dead person's sibling.
- 11 (d) The coroner shall make a positive identification of human
12 remains unless extraordinary circumstances described in subsection (e)
13 exist. In making a positive identification, the coroner shall determine
14 the identity of the human remains by one (1) of the following methods:
- 15 (1) Fingerprint identification.
16 (2) DNA analysis.
17 (3) Dental record analysis.
18 (4) Tracking a unique identifying number on a medical device (as
19 defined in IC 24-4-12-7) that is surgically implanted in the dead
20 person's body.
21 (5) Positive identification by at least one (1) of the dead person's
22 immediate family members if the dead person's body is in a
23 physical condition that would allow for the dead person to be
24 reasonably recognized.
- 25 **(6) Analysis of any unique tattoos.**
- 26 (e) For the purposes of subsection (d), extraordinary circumstances
27 exist if, after a thorough investigation, the coroner determines that
28 identification of the dead person is not possible under any of the ~~five~~
29 ~~(5)~~ **six (6)** methods described in subsection (d).
- 30 (f) Unless extraordinary circumstances described in subsection (e)
31 exist, the coroner shall notify the decedent's next of kin in a timely
32 manner. The coroner shall retain the information derived from any of
33 the methods described in subsection (d) until the decedent's next of kin
34 has been located.

