

# An Act

ENROLLED SENATE  
BILL NO. 1123

By: Burns, Hamilton, and  
Bullard of the Senate

and

West (Rick) and Humphrey of  
the House

An Act relating to medicolegal investigations;  
amending 63 O.S. 2021, Section 940, which relates to  
notification of deaths; modifying inclusions of  
certain authorization; and providing an effective  
date.

SUBJECT: Medical and law enforcement investigative procedures

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2021, Section 940, is  
amended to read as follows:

Section 940. A. All law enforcement officers and other state and county officials shall cooperate with the Chief Medical Examiner and all other medical examiners in making investigations required pursuant to the provisions of Sections 931 through 954 of this title. ~~Said~~ The officials and the physician in attendance of the deceased, or other persons when the deceased was unattended by a physician, shall promptly notify the medical examiner of the occurrence of all deaths coming to their attention which, pursuant to the provisions of Sections 931 through 954 of this title, are subject to investigation, and shall assist in making dead bodies and related evidence available for investigation.

Subject to the provisions of Sections 931 through 954 of this title, bodies shall not be disturbed until authorized by the Chief Medical Examiner or his or her designee and the representative of any law enforcement agency which has begun an investigation of the cause of death. ~~Said~~ The authorization may be given by telephone. Nothing in Sections 931 through 954 of this title shall prevent the district attorney, or his or her designee, or the responding law enforcement officer from authorizing the removal of a body when the removal is determined to be in the public interest and conditions at the scene are adequately documented and preserved by photographs and measurements.

B. The death of any patient, inmate, ward, or veteran in a state hospital or other institution shall be reported by the chief administrative officer of the hospital or institution or his or her designee to the Office of the Chief Medical Examiner at the time of the death and prior to release of the body.

1. Within thirty-six (36) hours, a written report shall be submitted and shall be accompanied by true and correct copies of all medical records of the hospital or institution concerning the deceased patient.

2. The Chief Medical Examiner shall have the authority to require production of any records, documents, or equipment or other items regarding the deceased patient deemed necessary to investigate the death.

SECTION 2. This act shall become effective November 1, 2022.

Passed the Senate the 22nd day of March, 2022.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 27th day of April, 2022.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_