

No. 575

AN ACT

Providing for authorization for autopsies or postmortem examinations of human bodies claimed for burial within thirty-six hours after death.

Autopsies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Autopsy upon dead body authorized by licensed physician under certain conditions.

Section 1. An autopsy or postmortem examination may be performed upon the body of a deceased person by a physician licensed under the laws of the Commonwealth of Pennsylvania to engage in the practice of medicine and surgery in all of its branches within the scope of the act, approved the third day of June, one thousand nine hundred eleven (Pamphlet Laws 639), and its amendments, or in the practice of osteopathy or osteopathic surgery within the scope of the act, approved the nineteenth day of March, one thousand nine hundred nine (Pamphlet Laws 46), and its amendments, when the dead body is claimed within thirty-six hours after death for burial at the expense of the claimant and authorization for the postmortem examination has been obtained in any of the following manners:

(1) By written authorization signed by the deceased during lifetime and the written consent of his surviving spouse, if any, after death.

(2) By written authorization of any party whom the deceased during lifetime designed by written instrument to take charge of his body for burial and the written consent of decedent's surviving spouse, if any, after death.

(3) By written authorization of the decedent's surviving spouse.

(4) If the surviving spouse is incompetent, unavailable or does not claim the body for burial, or if there is no surviving spouse, by written authorization of the following in order of precedence if the claimant agrees to provide burial: (i) adult children, (ii) adult grandchildren, (iii) parents, (iv) brothers or sisters, (v) nephews or nieces, (vi) grandparents, (vii) uncles or aunts, (viii) cousins, (ix) stepchildren, (x) relatives or next of kin of previously deceased spouse.

(5) If none of the above persons are available to claim the body, by written authorization of any other relative or friend who assumes custody of the body for burial.

Authorization by telegram or telephone.

Section 2. Authorization may be given by telegram, or by telephone if the telegram or telephonic authorization is certified by two persons present when it was

received. Any telegram or telephonic authorization purporting to have been sent by a person authorized to give consent shall be conclusively presumed to have been sent by such person. If two or more persons entitled to authorize postmortem examination assume responsibility for burial, the written authorization of one is sufficient.

Section 3. The provisions of this act do not apply to postmortem examinations performed under the authority of statutes pertaining to the coroner's office or the office of postmortem examinations. It shall be applicable in cases of the bodies of honorably discharged soldiers, sailors, marines or airmen of the United States or of the Militia of the State of Pennsylvania, or the bodies of women who have served the United States in military activities, if authorization for a postmortem examination is granted in accordance with this act. In such cases the bodies shall be buried in accordance with the provisions of existing Federal law. If no person is available who is entitled to authorize a postmortem examination on a veteran's body, the body shall not be subjected to postmortem study and shall be buried in accordance with the provisions of existing Federal law.

Section 4. A dead body remaining unclaimed for burial at the claimant's expense, thirty-six hours after death, falls under the jurisdiction of the Anatomical Board of the State of Pennsylvania in accord with an existing State law.

Jurisdiction of
Anatomical
Board.

APPROVED—The 24th day of May, A. D. 1956.

GEORGE M. LEADER

No. 576

AN ACT

Amending the act of June one, one thousand eight hundred eighty-nine (Pamphlet Laws 420), entitled "A further supplement, to an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine,'" requiring additional reports, and changing the due date of certain payments of capital stock tax and franchise tax, and further providing for the computation and payment of the tax by domestic corporations, joint stock associations, limited partnerships and companies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Taxation.

Section 1. Section twenty, act of June one, one thousand eight hundred eighty-nine (Pamphlet Laws 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand

Section 20, act of June 1, 1889, P. L. 420, last amended May 16, 1945, P. L. 606, further amended.