STATE OF NEW YORK

5424

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. GALLAGHER -- read once and referred to the Committee on Local Governments

AN ACT to amend the county law, in relation to requiring autopsy reports to include photographs, microscopic slides, and post-mortem x-rays taken by, at the direction of, or reviewed by the person performing the autopsy

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as the "Terry Cooper autopsy accountability act".

§ 2. Subdivision 6 of section 677 of the county law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

6. Notwithstanding section six hundred seventy of this article or any other provision of law, the coroner, coroner's physician or medical examiner shall promptly provide the [~~chairman~~] **chairperson** of the correction medical review board and the commissioner of corrections and community supervision with copies of any autopsy report, toxicological report or any report of any examination or inquiry prepared with respect to any death occurring to an incarcerated individual of a correctional facility as defined by subdivision three of section forty of the correction law within [~~his or her~~] **their** county; and shall promptly provide the executive director of the justice center for the protection of people with special needs with copies of any autopsy report, toxicology report or any report of any examination or inquiry prepared with respect to the death of any service recipient occurring while [~~he or she~~] **such person** was a resident in any facility operated, licensed or certified by any agency within the department of mental hygiene, the office of children and family services, the department of health or the state education department. If the toxicological report is prepared pursuant to any agreement or contract with any person, partnership, corporation or governmental agency with the coroner or medical examiner,

EXPLANATION--Matter in ***italics*** (underscored) is new; matter in brackets [-] is old law to be omitted.

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such report shall be promptly provided to the [~~chairman~~] chairperson of the correction medical review board, the commissioner of corrections and community supervision or the executive director of the justice center for people with special needs, as appropriate, by such person, partnership, corporation or governmental agency. For the purposes of this subdivision, in addition to anything else required by law, an autopsy report shall include all photographs of the body, microscopic slides, and post-mortem x-rays taken by or at the direction of the person performing the autopsy, and all photographs, microscopic slides, and post-mortem x-rays reviewed by the person performing the autopsy in the course of their examination or in the course of their diagnosis of the cause of death and the means or manner of death.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all autopsies conducted on or after such date.