

STATE OF NEW YORK

5424--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

3 § 2. Subdivision 5 of section 674 of the county law, as amended by
4 chapter 322 of the laws of 2021, is amended to read as follows:

5 5. Notwithstanding section six hundred seventy of this article or any
6 other provision of law, the coroner, coroner's physician or medical
7 examiner shall promptly perform or cause to be performed an autopsy and
8 to prepare an autopsy report which shall include a toxicological report
9 and any report of any examination or inquiry with respect to any death
10 occurring within [~~his or her~~] such coroner's, coroner's physician's or
11 medical examiner's county to an incarcerated individual of a correction-
12 al facility as defined by subdivision three of section forty of the
13 correction law, whether or not the death occurred inside such facility.

14 For the purposes of this subdivision, in addition to anything else
15 required by law, an autopsy report shall include all photographs of the
16 body, microscopic slides, and post-mortem x-rays taken by or at the
17 direction of the person performing the autopsy, and all photographs,
18 microscopic slides, and post-mortem x-rays reviewed by the person
19 performing the autopsy in the course of their examination or in the
20 course of their diagnosis of the cause of death and the means or manner
21 of death.

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

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

3 6. Notwithstanding section six hundred seventy of this article or any
4 other provision of law, the coroner, coroner's physician or medical
5 examiner shall promptly provide the ~~[chairman]~~ chairperson of the
6 correction medical review board and the commissioner of corrections and
7 community supervision with copies of any autopsy report, toxicological
8 report or any report of any examination or inquiry prepared with respect
9 to any death occurring to an incarcerated individual of a correctional
10 facility as defined by subdivision three of section forty of the
11 correction law within ~~[his or her]~~ their county; and shall promptly
12 provide the executive director of the justice center for the protection
13 of people with special needs with copies of any autopsy report, toxicol-
14 ogy report or any report of any examination or inquiry prepared with
15 respect to the death of any service recipient occurring while ~~[he or~~
16 ~~she]~~ such person was a resident in any facility operated, licensed or
17 certified by any agency within the department of mental hygiene, the
18 office of children and family services, the department of health or the
19 state education department. If the toxicological report is prepared
20 pursuant to any agreement or contract with any person, partnership,
21 corporation or governmental agency with the coroner or medical examiner,
22 such report shall be promptly provided to the ~~[chairman]~~ chairperson of
23 the correction medical review board, the commissioner of corrections and
24 community supervision or the executive director of the justice center
25 for people with special needs, as appropriate, by such person, partner-
26 ship, corporation or governmental agency. For the purposes of this
27 subdivision, in addition to anything else required by law, an autopsy
28 report shall include all photographs of the body, microscopic slides,
29 and post-mortem x-rays taken by or at the direction of the person
30 performing the autopsy, and all photographs, microscopic slides, and
31 post-mortem x-rays reviewed by the person performing the autopsy in the
32 course of their examination or in the course of their diagnosis of the
33 cause of death and the means or manner of death.

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