**South Carolina General Assembly**

119th Session, 2011-2012

**S. 333**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

Document Path: l:\s-res\asm\003coro.kmm.asm.docx

Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Judiciary**

Summary: Notice of death

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 148](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 148](file:///h:\sj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[1/11/2011](file:///p:\pprever\2011-12\333_20110111.docx)

**A** **BILL**

TO AMEND SECTION 17‑5‑560 OF THE 1976 CODE, RELATING TO THE CERTIFICATION OF THE CAUSE OF DEATH ON A DEATH CERTIFICATE, TO PROVIDE THAT THE CORONER, DEPUTY CORONER, MEDICAL EXAMINER, OR DEPUTY MEDICAL EXAMINER MUST PROVIDE NOTICE OF THE DEATH TO THE COUNTY BOARD OF ELECTIONS; TO AMEND CHAPTER 19, TITLE 40, RELATING TO EMBALMERS AND FUNERAL DIRECTORS, BY ADDING SECTION 40‑19‑112 TO PROVIDE THAT A FUNERAL DIRECTOR OR EMBALMER, OR A PERSON ACTING FOR A FUNERAL DIRECTOR OR EMBALMER, MUST PROVIDE NOTICE OF THE DEATH TO THE COUNTY BOARD OF ELECTIONS; AND TO AMEND ARTICLE 1, CHAPTER 27 OF TITLE 7, RELATING TO GENERAL PROVISIONS CONCERNING COUNTY BOARDS OF REGISTRATION AND ELECTION COMMISSIONS, BY ADDING SECTION 7‑27‑140 TO REQUIRE THE HEAD OF EACH COUNTY BOARD OF ELECTIONS TO REVIEW THE MASTER FILE OF ALL QUALIFIED ELECTORS IN THE COUNTY TO DETERMINE IF THE DECEASED PERSON WAS A REGISTERED ELECTOR IN THE COUNTY, AND IF THE PERSON WAS A REGISTERED ELECTOR, TO TAKE ALL NECESSARY ACTIONS TO REMOVE HIS NAME FROM THE MASTER FILE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 17‑5‑560 of the 1976 Code is amended to read:

“Section 17‑5‑560. (A) As used in this section, the terms ‘sign’, ‘signed’, or ‘signature’ mean a written signature or an electronic signature authorized in the Electronic Commerce Act, Chapter 5, Title 26.

~~(A)~~(B) The coroner, deputy coroner, medical examiner, or deputy medical examiner must, in any case investigated, complete and sign the medical certification portion of the death certificate within twenty‑four hours after being notified of the death. Within twenty‑four hours or one working day, whichever occurs first, after signing the medical certification portion of the death certificate, the coroner, deputy coroner, medical examiner, or deputy medical examiner must provide written notice of the name and address, if known, of the deceased person to the county board of registration and elections pursuant to Section 7‑27‑140.

~~(B)~~(C) The coroner or medical examiner must, at the time of releasing a body to a funeral director or person acting as a funeral director, or as soon as practical after releasing the body, execute and sign the medical certification of the cause of death on the prescribed form.

~~(C)~~(D) In any case where autopsy is scheduled and the coroner or medical examiner wishes to await its gross findings to confirm a tentative clinical finding, the coroner or medical examiner must give the funeral director notice as to when he expects to have the medical data necessary for the certification of cause of death. If the certificate cannot be signed within the prescribed time set forth, the coroner or medical examiner must indicate that the cause of death is pending and sign the certification accordingly. Immediately after the medical data necessary for determining the cause of death has been made known, the coroner or medical examiner must, over his signature, forward the cause of death to the registrar and notify the funeral director involved that this action has been taken.

~~(D)~~ ~~As used in this section, the terms ‘sign’, ‘signed’, or ‘signature’ mean a written signature or an electronic signature authorized in the Electronic Commerce Act, Chapter 5, Title 26.~~”

SECTION 2. Chapter 19, Title 40 of the 1976 Code is amended by adding:

“Section 40‑19‑112. Within twenty‑four hours, or one working day, whichever occurs first, of filing a death certificate with the appropriate authority, a funeral director or embalmer, or a person acting for a funeral director or embalmer, must provide written notice of the name and address, if known, of the deceased person to the county board of registration and elections pursuant to Section 7‑27‑140.”

SECTION 3. Article 1, Chapter 27, Title 7 of the 1976 Code is amended by adding:

“Section 7‑27‑140. (A) Within twenty‑four hours, or one working day, whichever occurs first, of receiving notification of a death pursuant to Section 40‑19‑112 or Section 17‑5‑560, the head of the county board of registration and elections must review the master file of all qualified electors in the county to determine if the deceased person was a registered elector in the county. If the deceased person was a registered elector prior to his death, the head of the county board of registration and elections must take all actions necessary to expeditiously remove the deceased person’s name from the master file of all qualified electors in the county.

(B) The county election commission shall prescribe the proper forms for the transmission of the names of deceased persons required pursuant to Section 40‑19‑112 or Section 17‑5‑560.”

SECTION 4. This act takes effect upon approval by the Governor.

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