

## SENATE AMENDMENTS TO SENATE BILL 1550

By COMMITTEE ON JUDICIARY

February 19

1      Delete pages 2 through 6 of the printed bill and insert:

### “DEFINITIONS

5      “**SECTION 1.** ORS 146.003 is amended to read:

6      “146.003. As used in ORS 146.003 to 146.189 and 146.710 to 146.992, unless the context requires  
7 otherwise:

8      “(1) ‘Approved laboratory’ means a laboratory approved by the Chief Medical Examiner as  
9 competent to perform the blood sample analysis required by ORS 146.113 (2).

10     “(2) ‘Assistant district medical examiner’ means a physician licensed under ORS chapter 677,  
11 physician associate licensed under ORS 677.505 to 677.525 or nurse practitioner licensed under ORS  
12 678.375 to 678.390 appointed by the district medical examiner to investigate and certify deaths  
13 within a county or district.

14     “(3) ‘Cause of death’ means the primary or basic disease process or injury ending life.

15     “(4) ‘Death requiring investigation’ means the death of a person occurring in any one of the  
16 circumstances set forth in ORS 146.090.

17     “(5) ‘District medical examiner’ means a physician licensed under ORS chapter 677, physician  
18 associate licensed under ORS 677.505 to 677.525 or nurse practitioner licensed under ORS 678.375  
19 to 678.390 appointed by the Chief Medical Examiner to investigate and certify deaths within a  
20 county or district, including a Deputy State Medical Examiner.

21     “(6) ‘Family or household member’ has the meaning given that term in ORS 135.230.

22     “[6] (7) ‘Law enforcement agency’ means a county sheriff’s office, municipal police department,  
23 police department established by a university under ORS 352.121 or 353.125 and the Oregon State  
24 Police.

25     “[7] (8) ‘Legal intervention’ includes an execution pursuant to ORS 137.463, 137.467 and 137.473  
26 and other legal use of force resulting in death.

27     “[8] (9) ‘Manner of death’ means the designation of the probable mode of production of the  
28 cause of death, including natural, accidental, suicidal, homicidal, legal intervention or undetermined.

29     “[9] (10) ‘Medical examiner’ means a physician licensed under ORS chapter 677, physician as-  
30 sociate licensed under ORS 677.505 to 677.525 or nurse practitioner licensed under ORS 678.375 to  
31 678.390 appointed as provided by ORS 146.003 to 146.189 to investigate and certify the cause and  
32 manner of deaths requiring investigation, including the Chief Medical Examiner.

33     “[10] (11) ‘Medical-legal death investigator’ means a person appointed by the district medical  
34 examiner to assist in the investigation of deaths within a county.

35     “[11] (12) ‘Pathologist’ means a physician licensed under ORS chapter 677 who is eligible for

1 certification by the American Board of Pathology, or its successor organization, as approved by the  
2 State Medical Examiner Advisory Board.

3 “[~~(12)~~] (13) ‘Unidentified human remains’ does not include human remains that are unidentified  
4 human remains that are part of an archaeological site or suspected of being Native American and  
5 covered under ORS chapters 97 and 390 and ORS 358.905 to 358.961.

6

7                   **“LAW ENFORCEMENT INVESTIGATION OF SUSPICIOUS DEATHS;**  
8                   **MANDATORY FAMILY INTERVIEWS AND AUTOPSY REQUESTS**

9

10                  “**SECTION 2.** Section 3 of this 2026 Act is added to and made a part of ORS 146.003 to  
11 146.189.

12                  “**SECTION 3.** (1) As used in this section, ‘investigator’ means a medical-legal death in-  
13 vestigator, assistant district medical examiner, district medical examiner or officer employed  
14 by a law enforcement agency.

15                  “(2) An investigator who is investigating the death of a decedent shall follow the proce-  
16 dures set forth in subsections (3) and (4) of this section if the decedent:

17                   “(a) Is suspected to have died from suicide, accident or other undetermined cause; and

18                   “(b)(A) There is information, evidence or circumstances known to or made available to  
19 the investigator that the decedent was, or was alleged to have been, a victim of:

20                   “(i) Domestic violence; or

21                   “(ii) Actual or suspected child abuse.

22                   “(B) For purposes of subparagraph (A) of this paragraph, information, evidence or cir-  
23 cumstances known or made available to the investigator may include but need not be limited  
24 to information provided to the investigator by those familiar with the decedent or with cir-  
25 cumstances about the decedent, writings or photographs created by the decedent or others,  
26 restraining order declarations, eyewitness statements, police reports, reports made to gov-  
27 ernment agencies or other evidence.

28                  “(3) If the factors set forth in subsection (2) of this section are present, the investigator  
29 shall then determine whether three or more of the following conditions are present:

30                   “(a) The decedent died prematurely or in an untimely manner.

31                   “(b) The scene of death suggests the appearance of death by suicide, accident or other  
32 undetermined cause.

33                   “(c) The decedent was in a romantic relationship in which one of the persons in the re-  
34 lationship wanted the relationship to end.

35                   “(d) The decedent had a known or documented history as a victim of domestic violence,  
36 including intimidation, isolation or coercive control.

37                   “(e) The decedent was a minor child with a known or documented history as a victim of  
38 child abuse, or the subject of a report of suspected child abuse, within the past 12 months.

39                   “(f) The decedent was found dead in a home or place of residence.

40                   “(g) The decedent was found by a family or household member.

41                   “(h) The decedent had a history as a victim of strangulation, choking or suffocation.

42                   “(i) The decedent was last seen alive by a family or household member, the child of the  
43 decedent, the child of a family or household member or, if the decedent was a minor child  
44 as described in paragraph (e) of this subsection, the child’s parent, guardian or caregiver  
45 who was the perpetrator or alleged perpetrator of such abuse.

“(j) A family or household member had control of the scene of death before law enforcement arrived or, if the decedent was a minor child as described in paragraph (e) of this subsection, the child’s parent, guardian or caregiver who was the perpetrator or alleged perpetrator of such abuse had control of the scene of death before law enforcement arrived.

“(k) The body of the decedent was moved from the location where death occurred, or the scene of death or other evidence appears altered, modified or staged.

“(4) If the factors and conditions set forth in subsections (2) and (3) of this section are present, prior to an officer employed by a law enforcement agency reporting the death as being likely a suicide or an accident to a medical-legal death investigator and prior to a medical-legal death investigator making any findings as to the cause or manner of death, the investigator shall:

**“(a) Review any documented evidence of historical abuse; and**

“(b) Interview family members of the decedent who have information relevant to the domestic violence or child abuse documented in the records or evidence described in subsection (2) of this section.

“(5) If, after taking the actions described in subsections (2) to (4) of this section, an officer employed by a law enforcement agency or the district medical examiner determines that a reasonable basis exists to suspect that the death of the decedent, as described in subsection (2) of this section, may be a homicide that is the result of domestic violence or child abuse, the officer or district medical examiner shall contact the Office of the Chief Medical Examiner to request further post-mortem examination of the body of the decedent and to consult with the office regarding additional appropriate actions related to the potential homicide.

“(6) The Office of the Chief Medical Examiner shall respond to the request described in subsection (5) of this section without undue delay and shall engage in a collaborative consultation regarding appropriate actions related to the potential homicide. The consultation may include a request from the Office of the Chief Medical Examiner for the officer or district medical examiner to gather and provide additional information to inform recommendations.

“(7) The body of the decedent may not be released until after the consultation described in subsection (6) has occurred, any requested additional information has been provided and all recommendations of the Office of the Chief Medical Examiner have been completed.

## **“AUTOPSYIES**

**“SECTION 4. ORS 146.117 is amended to read:**

"146.117. (1)(a) A medical examiner or district attorney may order an autopsy performed in any death requiring investigation. This authorization for an autopsy shall permit the pathologist to remove and retain body tissues or organs from the deceased for the purpose of the legal or medical determination of the manner or cause of death, or other purposes approved under policies established by the State Medical Examiner Advisory Board.

**(b) Notwithstanding paragraph (a) of this subsection, following the consultation described in section 3 of this 2026 Act regarding a decedent who there is a reasonable basis to suspect may have died due to a homicide related to domestic violence or child abuse, the district attorney or a state medical examiner may order the performance of appropriate**

**post-mortem assessments, including but not limited to pathology, imaging or autopsy.**

“(2) If an autopsy is ordered, the medical examiner shall obtain the services of a pathologist authorized under ORS 146.045 (2)(b).

“(3) A pathologist may not receive compensation for performing the autopsy if, as medical examiner, the pathologist ordered the autopsy.

## **“RIGHT TO EXAMINE RECORDS**

“**SECTION 5.** ORS 146.035 is amended to read:

“146.035. (1) There is established within the Department of State Police the Office of the Chief Medical Examiner for the purpose of directing and supporting the state death investigation program.

“(2) The Chief Medical Examiner shall manage all aspects of the Office of the Chief Medical Examiner’s program.

“(3) Subject to the State Personnel Relations Law, the Chief Medical Examiner may employ or discharge other personnel of the Office of the Chief Medical Examiner.

“(4) The Office of the Chief Medical Examiner shall:

“(a) File and maintain appropriate reports on all deaths requiring investigation.

“(b) Maintain an accurate list of all active district medical examiners, assistant district medical examiners and designated pathologists.

“(c) Transmit monthly to the Department of Transportation a report for the preceding calendar month of all information obtained under ORS 146.113.

“(5) Notwithstanding ORS 192.345 (36) and 192.355 (2)(b):

“(a) Any parent, spouse, sibling, child or personal representative of the deceased, or any person who may be criminally or civilly liable for the death, or their authorized representatives respectively, may examine and obtain copies of any medical examiner’s report, autopsy report or laboratory test report ordered by a medical examiner under ORS 146.117.

“(b)(A) Except as provided in subparagraph (B) of this paragraph, if an investigating law enforcement agency has closed the criminal investigation and the medical examiner finds that the manner of death is not homicide and closes the case, any parent, spouse, sibling, child or personal representative of the deceased may examine and obtain without undue delay;

“(i) Copies of any evidence or records related to the deceased’s case that are in the custody of the law enforcement agency or medical examiner; and

“(ii) Photographs, images, negatives, prints or video, including body camera video, of the body, or any portion of the body, of the deceased that was generated during an autopsy by a designated pathologist, or that was generated during the investigation by a district medical examiner, assistant district medical examiner, medical-legal death investigator or employee of a law enforcement agency.

**“(B) Subparagraph (A) of this paragraph does not:**

(i) Require a law enforcement agency or medical examiner to provide evidence or records if providing such evidence or records would compromise a pending investigation.

“(ii) Affect the lawful discretion provided to a law enforcement agency to carry out investigations of death.

“(iii) Impose any liability on a law enforcement agency in relation to the investigation of deaths.

“(iv) Require a law enforcement agency or other public body to cover the cost of an independent review of the manner and cause of death.

“[(b)] (c) The system described in ORS 192.517 (1) shall have access to reports described in this subsection as provided in ORS 192.517.

## **“NOTICE OF RIGHTS TO DECEDEDNT’S FAMILY**

**“SECTION 6.** Section 7 of this 2026 Act is added to and made a part of ORS 146.003 to 146.189.

**“SECTION 7. (1) Upon opening an investigation into the death of a decedent who is suspected to have died from suicide or under suspicious circumstances, a law enforcement agency shall provide written notice to known members of the decedent’s family of the law and procedure for:**

**“(a) Family members to obtain evidence or records under ORS 146.035.**

**(b) A medical examiner or district attorney to order an autopsy under ORS 146.117.**

“(c) A district attorney to order an inquest under ORS 146.135.

“(d) A law enforcement agency to determine whether family or household members of the decedent must be interviewed under section 3 of this 2026 Act.

“(2) If a decedent who is suspected to have died from suicide, accident or other undetermined cause has previously been identified as or alleged to have been a victim of domestic violence, or has previously been identified as a victim of actual or suspected child abuse in police reports, reports made to or by government agencies, writings or photographs, restraining order declarations, eyewitness statements or other evidence, a law enforcement agency shall provide the written notice required under subsection (1) of this section to:

“(a) At least one parent, sibling over the age of 18 or other family member of the decedent who was not the perpetrator or alleged perpetrator of the domestic violence or child abuse; and

“(b) Any family member of the decedent, upon request, who was not the perpetrator or alleged perpetrator of the domestic violence or child abuse.

## “APPLICABILITY

**“SECTION 8. Sections 3 and 7 of this 2026 Act and the amendments to ORS 146.003, 146.035 and 146.117 by sections 1, 4 and 5 of this 2026 Act apply to deaths occurring on or after the effective date of this 2026 Act.**

## “CAPTIONS

**“SECTION 9.** The unit captions used in this 2026 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2026 Act.”.