



Senate Fiscal Agency  
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**BILL ANALYSIS**

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Senate Bill 1289 (as introduced 6-8-04)  
Sponsor: Senator Tom George  
Committee: Judiciary

Date Completed: 6-7-04

**CONTENT**

The bill would amend the Public Health Code to specify that the prohibition against publicly displaying an autopsy photograph would not apply if the public display were pursuant to a court order issued upon the request of a law enforcement agency as part of a criminal investigation.

The Code prohibits a person from displaying an autopsy photograph of a deceased human being that identifies the decedent by name, face, or other identifying physical features. The prohibition does not apply if the public display is one of the following:

- For a purpose directly related to the investigation or prosecution of a criminal case, upon written authorization by the prosecuting attorney having jurisdiction.
- Authorized by a court for a purpose directly related to the proceedings in a civil case.
- Required for a health department to carry out its lawful duties.
- Necessary for legitimate research or teaching of medical, public health, or public safety personnel or students enrolled at a postsecondary educational institution.

The bill would add to that list a public display pursuant to a court order issued upon the request of a law enforcement agency as part of a criminal investigation.

MCL 333.2855a

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.