

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2430 Session of  
2004

INTRODUCED BY BENNINGHOFF, HARPER, ARGALL, ARMSTRONG, CORRIGAN,  
CREIGHTON, DENLINGER, DeWEESE, EGOLF, FABRIZIO, GILLESPIE,  
HERSHEY, HUTCHINSON, KELLER, McILHATTAN, R. MILLER, MYERS,  
O'BRIEN, SCAVELLO, SOLOBAY, THOMAS, TIGUE, WILT AND MILLARD,  
MARCH 16, 2004

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, MARCH 16, 2004

AN ACT

1 Amending the act of June 29, 1953 (P.L.304, No.66), entitled "An  
2 act providing for the administration of a statewide system of  
3 vital statistics; prescribing the functions of the State  
4 Department of Health, the State Advisory Health Board and  
5 local registrars; imposing duties upon coroners,  
6 prothonotaries, clerks of orphans' court, physicians,  
7 midwives and other persons; requiring reports and  
8 certificates for the registration of vital statistics;  
9 regulating the disposition of dead bodies; limiting the  
10 disclosure of records; prescribing the sufficiency of vital  
11 statistics records as evidence; prescribing fees and  
12 penalties; and revising and consolidating the laws relating  
13 thereto," providing for unidentified dead bodies and fetal  
14 remains.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. The act of June 29, 1953 (P.L.304, No.66), known  
18 as the Vital Statistics Law of 1953, is amended by adding a  
19 section to read:

20 Section 506.1. Death and Fetal Death Registration:

21 Unidentified Dead Bodies and Fetal Remains.--(a)

22 Notwithstanding any other provision of law to the contrary, no

1 certificate of death or fetal death shall be issued in this  
2 Commonwealth if the body or fetal remains have not been  
3 positively identified unless the person issuing the certificate  
4 of death first obtains a DNA sample and submits the same to the  
5 Pennsylvania State Police for storage, forensic DNA analysis and  
6 inclusion in any appropriate DNA database, in accordance with  
7 established Pennsylvania State Police policies and procedures. A  
8 person submitting a DNA sample to the Pennsylvania State Police  
9 pursuant to this section shall immediately notify the  
10 Pennsylvania State Police when any previously unidentified body  
11 or fetal remains is positively identified. The Pennsylvania  
12 State Police shall immediately notify the person submitting a  
13 DNA sample pursuant to this section when any identification is  
14 made following submission of the sample. The Pennsylvania State  
15 Police shall not charge any fees for receiving, storing or  
16 analyzing a DNA sample submitted pursuant to this section. The  
17 Pennsylvania State Police shall establish policies and  
18 procedures to implement the requirements of this section.

19 (b) As used in this section, the following words and phrases  
20 shall have the meanings given to them in this subsection unless  
21 the context clearly indicates otherwise:

22 "DNA" means deoxyribonucleic acid. DNA is located in the  
23 cells and provides an individual's personal genetic blueprint.  
24 DNA encodes genetic information that is the basis of human  
25 heredity and forensic identification.

26 "DNA sample" means a blood or tissue sample obtained by a  
27 coroner or medical examiner from an unidentified dead body or  
28 from fetal remains as required by this section for analysis or  
29 storage, or both.

30 Section 2. This act shall take effect in 60 days.