

2025 South Dakota Legislature

Senate Bill 72**AMENDMENT 72A
FOR THE INTRODUCED BILL**

1 **An Act to revise the payor of autopsy costs in certain circumstances.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 23-14-9.2 be AMENDED:**

4 **23-14-9.2.** A physician or surgeon appointed under § 23-14-9.1, or the coroner if
 5 the coroner is a physician or surgeon providing services pursuant to § 23-14-9.1, shall
 6 receive a reasonable fee for his services ~~to be ascertained and rendered,~~ as approved by
 7 the board of county commissioners and paid. ~~The board shall pay the fee out of the general~~
 8 ~~fund of the county. If the coroner is a physician or surgeon, he may personally perform~~
 9 ~~such autopsy; and he shall receive a reasonable fee for his services to be ascertained and~~
 10 ~~approved by the board of county commissioners and paid out of the general fund of the~~
 11 ~~county.~~

12 ~~If the~~ The decedent's county of residence must reimburse the county in which the
 13 autopsy occurred for the cost of the autopsy if:

14 (1) ~~The death or autopsy occurs~~ occurred in a county other than the ~~decedents'~~
 15 ~~decedent's~~ decedent's county of residence, ~~the county of residence shall reimburse the county~~
 16 ~~where the autopsy occurred for the cost of the autopsy, provided that the;~~ and

17 (2) ~~The county of residence either requested~~ requested the autopsy or is the site where
 18 the accident or injury leading to the death occurred.

19 ~~If the decedent's death occurred as a result of a crime committed by the decedent,~~
 20 ~~or following the decedent's commission of murder in the first degree, in violation of § 22-~~
 21 ~~16-4, the board may require the estate of the decedent to pay the autopsy costs under~~
 22 ~~this section.~~ If a perpetrator of a crime dies during the commission of the crime, or the
 23 perpetrator commits suicide subsequent to the commission of the crime, the county in
 24 which the crime occurred may recover the cost of the autopsy and any other related
 25 expenses from the person's estate.