



SPONSOR: Rep. Mitchell & Sen. Poore  
Reps. Baumbach, Heffernan, J. Johnson, Keeley; Sen.  
Ennis

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 233

AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF FORENSIC SCIENCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend §3159, Title 16 of the Delaware Code by making deletions as shown by strike through and  
2       insertions as shown by underline as follows:

3           § 3159. Permit for cremation; issuance, retention and inspection.

4           (c) Cremation Permit Fee. The requesting person, firm, corporation or association shall pay a fee not to exceed  
5       \$250, as determined by the Director of the Division of Forensic Science, for the issuance of each cremation permit, payable  
6       to the Division of Forensic Science.

7           Section 2. Amend § 4707, Title 29 of the Delaware Code by making deletions as shown by strike through and  
8       insertions as shown by underline as follows:

9           § 4707. Postmortem examination; autopsy reports.

10          (e) Upon written request the next of kin of the deceased shall receive a copy of the postmortem examination  
11       report, the autopsy report and the laboratory reports, unless there shall be a criminal prosecution pending in which case no  
12       such reports shall be released until the criminal prosecution shall have been finally concluded. ~~The charge for completion of~~  
13       ~~an insurance form for proof of death shall be \$5.00.~~

14          (f) By regulation, the Director shall establish a reasonable fee schedule for the issuance of any record or report,  
15       cremation permit, or statistics. Such fees shall be approximate, reasonably reflect the costs of administering this chapter,  
16       and payable to the Division of Forensic Science. The Division of Forensic Science will not impose such fees on criminal  
17       justice agencies of this State.

SYNOPSIS

This bill clarifies that the Division of Forensic Science can set reasonable fees in its regulations related to the issuance of any postmortem record, cremation permit, or statistics, which are services it currently provides at no cost. The collection of such fees is consistent with laws in other state jurisdictions.