

PROPOSED  
SENATE AMENDMENTS TO H.B. 2406  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 11-594, Arizona Revised Statutes, is amended to  
3 read:

4 11-594. Powers and duties of county medical examiner

5 A. The county medical examiner or alternate medical examiner shall  
6 direct a death investigation and, on a determination that the  
7 circumstances of the death provide jurisdiction pursuant to section  
8 11-593, subsection B, shall:

9 1. Take charge of the dead body.

10 2. Determine if an autopsy is required.

11 3. Certify to the cause and manner of death following completion of  
12 the death investigation, reduce the findings to writing and promptly make  
13 a full report on forms prescribed for that purpose.

14 4. Have subpoena authority for all documents, records and papers  
15 deemed useful in the death investigation.

16 5. Execute a death certificate provided by the state registrar of  
17 vital statistics indicating the cause and the manner of death for those  
18 bodies for which a death investigation has been conducted and jurisdiction  
19 is assumed.

20 6. Give approval for cremation or alkaline hydrolysis of a dead  
21 body after a death investigation and record the approval on the death  
22 certificate.

23 7. Notify the county attorney or other law enforcement authority  
24 when death is found to be from nonnatural causes.

25 8. Carry out the duties specified under section 28-668.

26 9. Carry out the duties specified under title 36, chapter 7,  
27 article 3.

28 10. Provide a blood sample from a deceased person for the purpose  
29 of communicable disease testing pursuant to sections 13-1210 and 36-670 if  
30 the blood is available and the collection or release will not interfere  
31 with a medical examination, autopsy or certification of death.

32 11. Observe all policies adopted by the board of supervisors  
33 regarding conflicts of interest and disclosure of noncounty employment.

34 B. The county medical examiner or alternate medical examiner may:

35 1. Assign to a medical death investigator or other qualified  
36 personnel all aspects of a death investigation except performing  
37 autopsies.

38 2. Authorize forensic pathologists to perform examinations and  
39 autopsies. The medical examiner or alternate medical examiner may

1 authorize medical students or residents and fellows in pathology training  
2 to perform autopsies under the supervision of a licensed physician who is  
3 board certified in forensic pathology, pursuant to procedures adopted by  
4 the county medical examiner or alternate medical examiner. Authorization  
5 and the amount to be paid by the county for pathology services are subject  
6 to approval of the board of supervisors.

7         3. Authorize pathologist assistants to assist with performing  
8 autopsies under the direct supervision of a licensed physician who is  
9 board certified in forensic pathology, pursuant to procedures adopted by  
10 the county medical examiner or alternate medical examiner. A pathologist  
11 assistant may not certify a cause of death or independently perform an  
12 autopsy.

13         4. Delegate any power, duty or function, whether ministerial or  
14 discretionary, vested by this chapter in the medical examiner or alternate  
15 medical examiner to a person meeting the qualifications prescribed in this  
16 chapter who is employed by or who has contracted with the county to  
17 provide death investigation services. The medical examiner or alternate  
18 medical examiner shall be responsible for the official acts of the person  
19 designated pursuant to this section and shall act under the name and  
20 authority of the medical examiner or alternate medical examiner.

21         5. Authorize the taking of organs and tissues as they prove to be  
22 usable for transplants, other treatment, therapy, education or research if  
23 all of the requirements of title 36, chapter 7, article 3 are met. The  
24 medical examiner or alternate medical examiner shall give this  
25 authorization within a time period that allows a medically viable  
26 donation.

27         6. Authorize licensed physicians, surgeons or trained technicians  
28 to remove parts of bodies provided they follow an established protocol  
29 approved by the medical examiner or alternate medical examiner.

30         7. Limit the removal of organs or tissues for transplants or other  
31 therapy or treatment if, based on a review of available medical and  
32 investigative information within a time that allows a medically viable  
33 donation, the medical examiner or alternate medical examiner makes an  
34 initial determination that their removal would interfere with a medical  
35 examination, autopsy or certification of death. Before making a final  
36 decision to limit the removal of organs, the medical examiner or alternate  
37 medical examiner shall consult with the organ procurement organization.  
38 After the consultation and when the organ procurement organization  
39 provides information that the organ procurement organization reasonably  
40 believes could alter the initial decision and at the request of the organ  
41 procurement organization, the medical examiner or alternate medical  
42 examiner shall conduct a physical examination of the body. If the medical  
43 examiner or alternate medical examiner limits the removal of organs, the  
44 medical examiner or alternate medical examiner shall maintain  
45 documentation of this decision and shall make the documentation available  
46 to the organ procurement organization.

47         C. A county medical examiner or alternate medical examiner shall  
48 not be held civilly or criminally liable for any acts performed in good

1 faith pursuant to subsection A, paragraph 10 and subsection B, paragraphs  
2 5, 6 and 7 of this section.

3 D. If a dispute arises over the findings of the medical examiner's  
4 report, the medical examiner, on an order of the superior court, shall  
5 make available all evidence and documentation to a court-designated  
6 licensed forensic pathologist for review, and the results of the review  
7 shall be reported to the superior court in the county issuing the order.

8 E. For providing external examinations and autopsies pursuant to  
9 this section, the medical examiner may charge a fee established by the  
10 board of supervisors pursuant to section 11-251.08.

11 F. The county medical examiner or alternate medical examiner is  
12 entitled to all medical records and related records of a person for whom  
13 the medical examiner is required to certify cause of death.

14 G. NOTWITHSTANDING SECTION 11-597.02 AND TITLE 39, CHAPTER 1,  
15 AUTOPSY PHOTOGRAPHS, VIDEO RECORDINGS AND DIGITAL IMAGES DEPICTING THE  
16 BODY OF A DECEASED MINOR ARE CONFIDENTIAL AND ARE NOT SUBJECT TO PUBLIC  
17 DISCLOSURE.

18 H. RECORDS PROHIBITED FROM DISCLOSURE PURSUANT TO SUBSECTION G OF  
19 THIS SECTION MAY BE RELEASED ONLY TO THE FOLLOWING:

- 20 1. THE PARENT OR LEGAL GUARDIAN OF THE DECEASED MINOR.  
21 2. THE PERSONAL REPRESENTATIVE FOR THE ESTATE OF THE DECEASED  
22 MINOR.  
23 3. A LAW ENFORCEMENT AGENCY, PROSECUTOR OR COURT FOR THE PURPOSE OF  
24 AN INVESTIGATION OR CRIMINAL PROCEEDING.  
25 4. A PERSON WHO IS AUTHORIZED BY A COURT ON A FINDING OF GOOD  
26 CAUSE.

27 Sec. 2. Section 13-4434, Arizona Revised Statutes, is amended to  
28 read:

29 13-4434. Victim's right to privacy; redaction of victim's  
30 name; deceased minor's pictures and videos;  
31 exceptions; definitions

32 A. The victim has the right at any court proceeding not to testify  
33 regarding any identifying or locating information unless the victim  
34 consents or the court orders disclosure on finding that a compelling need  
35 for the information exists. A court proceeding on the motion shall be in  
36 camera.

37 B. A victim's identifying and locating information that is  
38 obtained, compiled or reported by a law enforcement agency or prosecution  
39 agency shall be redacted by the originating agency and prosecution  
40 agencies from records pertaining to the criminal case involving the  
41 victim, including discovery disclosed to the defendant, the defendant's  
42 attorney or any of the attorney's staff.

43 C. AUTOPSY PHOTOGRAPHS, VIDEO RECORDINGS AND DIGITAL IMAGES  
44 DEPICTING THE BODY OF A DECEASED MINOR ARE CONFIDENTIAL, AND THE MINOR  
45 VICTIM'S LAWFUL REPRESENTATIVE, PARENT OR LEGAL GUARDIAN HAS A RIGHT TO  
46 NOT HAVE THE IMAGE OR RECORDING DISCLOSED TO ANYONE EXCEPT AS SPECIFICALLY  
47 PROVIDED BY LAW OR COURT RULE.

48 ~~C.~~ D. Subsection B of this section does not apply to:

1           1. The victim's name except, if the victim is a minor, the victim's  
2 name may be redacted from public records pertaining to the crime if the  
3 countervailing interests of confidentiality, privacy, the rights of the  
4 minor or the best interests of this state outweigh the public interest in  
5 disclosure.

6           2. Any records that are transmitted between law enforcement  
7 **AGENCIES** and prosecution agencies or a court.

8           3. Any records if the victim or, if the victim is a minor, the  
9 victim's **LAWFUL** representative as designated under section 13-4403 has  
10 consented to the release of the information.

11           4. The general location at which the reported crime occurred.

12           5. The victim's address, if the victim's address appears in any  
13 body-worn camera footage, photographs or other visual or audio depictions  
14 and there is evidence that the defendant knows the victim's address  
15 because of a relationship set forth in section 13-3601, subsection A.

16           ~~D.~~ **E.** Notwithstanding subsections A and B of this section, a court  
17 may order the victim's identifying and locating information to be  
18 disclosed in a specific case if it is necessary to protect the defendant's  
19 constitutional rights or when the information is not reasonably able to be  
20 redacted because of undue burden or expense. Before the court discloses  
21 the information, the victim must be notified and has the right to be heard  
22 by the court. If the disclosure is made to the defendant's attorney, the  
23 defendant's attorney may not disclose the information to any person other  
24 than the attorney's staff and a designated investigator. The defendant's  
25 attorney may not provide the disclosed information to the defendant  
26 without specific authorization from the court.

27           ~~E.~~ **F.** On the request of a victim, the victim's name that is  
28 obtained, compiled or reported by a law enforcement agency or prosecution  
29 agency may be redacted by the originating agency and prosecution agencies  
30 from records that pertain to the criminal case involving the victim and  
31 that are released pursuant to a public records request if the agency  
32 reasonably expects that the release of the victim's name will result in  
33 harassment of the victim, threats to the victim's safety or witness  
34 tampering.

35           ~~F.~~ **G.** Subsection ~~E~~ **F** of this section does not apply to any of the  
36 following:

37           1. Any record that is transmitted between law enforcement agencies  
38 and prosecution agencies or a court or that is disclosed to the defendant,  
39 the defendant's attorney or any of the attorney's staff.

40           2. Any record regarding a victim who is deceased.

41           3. Any record if the victim or, if the victim is a minor or  
42 vulnerable adult as defined in section 13-3623, the victim's **LAWFUL**  
43 representative as designated under section 8-384 or 13-4403, ~~—~~ has  
44 consented to the release of the information.

45           4. Any record that a court of competent jurisdiction has ordered to  
46 be disclosed or **FOR WHICH** a rule of procedure requires the release ~~of a~~  
47 ~~record~~ to a party.

48           5. Any record if the law enforcement agency or prosecution agency  
49 has received a notice of final disposition in the criminal case.

1 ~~H.~~ H. For the purposes of this section:

2 1. "Identifying information" includes a victim's date of birth,  
3 social security number and official state or government issued driver  
4 license or identification number.

5 2. "Locating information" includes the victim's address, telephone  
6 number, email address and place of employment.

7 Sec. 3. Section 39-121.04, Arizona Revised Statutes, is amended to  
8 read:

9 39-121.04. Public access to law enforcement records depicting  
10 certain witnesses or crime victims; victim  
11 rights; applicability

12 A. In a special action brought pursuant to this article for the  
13 release of any record created or received by or in the possession of a law  
14 enforcement AGENCY or prosecution agency that relates to a criminal  
15 investigation or prosecution and that visually depicts the image of a  
16 witness under eighteen years of age or a victim as defined in section  
17 13-4401, the petitioner shall establish that the public's interest in  
18 disclosure outweighs the witness's or victim's right to privacy.

19 B. A victim whose image is depicted in a record described in  
20 subsection A of this section has the right to be present at and to be  
21 heard in any action brought pursuant to this article for the release of  
22 records described in subsection A of this section.

23 C. THIS SECTION DOES NOT APPLY TO ANY PHOTOGRAPH, VIDEO RECORDING,  
24 DIGITAL IMAGE, LAW ENFORCEMENT BODY-WORN CAMERA RECORDING OR DASH CAMERA  
25 RECORDING, SURVEILLANCE RECORDING OR OTHER VISUAL DEPICTION THAT SHOWS THE  
26 BODY OF A DECEASED MINOR OR DEPICTS THE SCENE OF THE DEATH OF A DECEASED  
27 MINOR.

28 Sec. 4. Title 39, chapter 1, Arizona Revised Statutes, is amended  
29 by adding article 6, to read:

30 ARTICLE 6. RECORDS OF MINOR VICTIMS

31 39-174. Definitions

32 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

33 1. "CHILD ABUSE RECORD" MEANS ANY PHOTOGRAPH, VIDEO RECORDING,  
34 DIGITAL IMAGE, LAW ENFORCEMENT BODY-WORN CAMERA RECORDING OR DASH CAMERA  
35 RECORDING, SURVEILLANCE RECORDING, FORENSIC INTERVIEW RECORDING, AUDIO  
36 RECORDING, 911 EMERGENCY SERVICE TELEPHONE CALL RECORDING OR CALL  
37 TRANSCRIPT OR OTHER VISUAL OR AUDIO DEPICTION THAT SHOWS OR DESCRIBES A  
38 MINOR WHO IS THE VICTIM OF CHILD ABUSE AS PRESCRIBED IN SECTION 13-3623 OR  
39 THAT IS CREATED DURING A CRIMINAL INVESTIGATION FOR ALLEGED CHILD ABUSE.

40 2. "DEATH SCENE IMAGE" MEANS ANY PHOTOGRAPH, VIDEO RECORDING,  
41 DIGITAL IMAGE, LAW ENFORCEMENT BODY-WORN CAMERA RECORDING OR DASH CAMERA  
42 RECORDING, SURVEILLANCE RECORDING OR OTHER VISUAL DEPICTION THAT SHOWS THE  
43 BODY OF A DECEASED MINOR OR DEPICTS THE SCENE OF THE DEATH OF A DECEASED  
44 MINOR.

45 3. "DECEASED MINOR" MEANS A PERSON WHO IS UNDER EIGHTEEN YEARS OF  
46 AGE AT THE TIME OF THE PERSON'S DEATH.

47 4. "EMERGENCY CALL RECORDING" MEANS ANY AUDIO RECORDING OR  
48 TRANSCRIPT OF A 911 EMERGENCY SERVICE TELEPHONE CALL OR OTHER EMERGENCY  
49 COMMUNICATION THAT RELATES TO A DECEASED MINOR'S DEATH.

1           5. "MONETIZE" MEANS TO SELL, LICENSE, DISTRIBUTE FOR COMPENSATION  
2 OR USE AN IMAGE TO GENERATE ADVERTISING REVENUE OR FINANCIAL GAIN.  
3           39-175. Deceased minor records; prohibited disclosures;  
4                   exceptions; violation; classification; civil  
5                   action; discipline or termination of employees  
6           A. THE FOLLOWING RECORDS ARE CONFIDENTIAL AND MAY NOT BE DISCLOSED  
7 PURSUANT TO THIS CHAPTER OR ANY OTHER LAW:  
8           1. AN IMAGE THAT DEPICTS A DECEASED MINOR.  
9           2. ANY LAW ENFORCEMENT BODY-WORN CAMERA RECORDING, DASH CAMERA  
10 RECORDING OR OTHER LAW ENFORCEMENT VIDEO RECORDING THAT DEPICTS A DECEASED  
11 MINOR OR THE SCENE WHERE THE MINOR'S DEATH OCCURRED.  
12           3. ANY EMERGENCY CALL RECORDING.  
13           4. ANY PHOTOGRAPH, VIDEO RECORDING OR DIGITAL IMAGE OF ANY PART OF  
14 THE BODY OF A DECEASED MINOR THAT IS CREATED DURING A DEATH  
15 INVESTIGATION.  
16           B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, A RECORD LISTED IN  
17 SUBSECTION A OF THIS SECTION MAY BE DISCLOSED TO THE FOLLOWING:  
18           1. THE PARENT OR LEGAL GUARDIAN OF THE DECEASED MINOR UNLESS THE  
19 PARENT OR LEGAL GUARDIAN IS THE SUBJECT OF AN INVESTIGATION INVOLVING  
20 HOMICIDE OR CHILD ABUSE OF THE DECEASED MINOR.  
21           2. THE PERSONAL REPRESENTATIVE FOR THE ESTATE OF THE DECEASED  
22 MINOR.  
23           3. A LAW ENFORCEMENT AGENCY, PROSECUTOR, MEDICAL EXAMINER OR OTHER  
24 GOVERNMENT ENTITY AS PART OF AN OFFICIAL INVESTIGATION OR CRIMINAL CASE.  
25           4. A PERSON WHO IS AUTHORIZED BY AN ORDER FROM A COURT OF COMPETENT  
26 JURISDICTION ON A FINDING OF GOOD CAUSE. IN DETERMINING WHETHER GOOD  
27 CAUSE EXISTS, THE COURT SHALL CONSIDER ALL OF THE FOLLOWING:  
28           (a) THE PRIVACY INTERESTS OF THE DECEASED MINOR'S SURVIVING FAMILY  
29 MEMBERS.  
30           (b) WHETHER THE DISCLOSURE IS NECESSARY TO EVALUATE THE CONDUCT OF  
31 A PUBLIC OFFICIAL OR AGENCY.  
32           (c) WHETHER THE DISCLOSURE WILL CAUSE EMOTIONAL HARM OR TRAUMA TO  
33 THE DECEASED MINOR'S SURVIVING FAMILY MEMBERS.  
34           C. IN A CRIMINAL CASE INVOLVING A DECEASED MINOR, THE PROSECUTOR  
35 MAY DISCLOSE THE RECORDS LISTED IN SUBSECTION A OF THIS SECTION TO THE  
36 DEFENDANT'S ATTORNEY AS PROVIDED BY LAW AND COURT RULE. THE DEFENDANT'S  
37 ATTORNEY MAY NOT FURTHER DISSEMINATE ANY RECORD WITHOUT A COURT ORDER ON A  
38 FINDING OF GOOD CAUSE.  
39           D. IF A RECORD IS RELEASED PURSUANT TO SUBSECTION B OR C OF THIS  
40 SECTION, THE PERSON RECEIVING THE RECORD IS PROHIBITED FROM FURTHER  
41 DISSEMINATING THE RECORD.  
42           E. THIS SECTION DOES NOT APPLY TO A WRITTEN INCIDENT REPORT,  
43 INVESTIGATIVE SUMMARY OR OTHER RECORD THAT DOES NOT CONTAIN A VISUAL  
44 DEPICTION OF THE DECEASED MINOR OR AN EMERGENCY CALL RECORDING.  
45           F. A PERSON WHO KNOWINGLY RELEASES A RECORD IN VIOLATION OF THIS  
46 SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR, EXCEPT THAT IF THE PERSON WHO  
47 VIOLATES THIS SECTION IS A GOVERNMENT OFFICIAL OR EMPLOYEE IT IS A CLASS 6  
48 FELONY.

1 G. THE PARENT, LEGAL GUARDIAN OR ESTATE OF A DECEASED MINOR MAY  
2 BRING A CIVIL ACTION AGAINST ANY PERSON WHO KNOWINGLY RELEASES, PROVIDES  
3 OR DISSEMINATES A RECORD IN VIOLATION OF THIS SECTION. IN ANY ACTION  
4 UNDER THIS SUBSECTION, THE COURT MAY AWARD THE FOLLOWING:  
5 1. ACTUAL DAMAGES.  
6 2. STATUTORY DAMAGES OF AT LEAST \$5,000 AND NOT MORE THAN \$50,000  
7 FOR EACH VIOLATION. EACH RECORD THAT IS DISCLOSED OR DISTRIBUTED IN  
8 VIOLATION OF THIS SECTION IS A SEPARATE VIOLATION.  
9 3. REASONABLE ATTORNEY FEES AND COSTS.  
10 4. INJUNCTIVE RELIEF PROHIBITING FURTHER DISSEMINATION.  
11 H. A GOVERNMENT ENTITY MAY DISCIPLINE OR TERMINATE AN EMPLOYEE WHO  
12 KNOWINGLY VIOLATES THIS SECTION.  
13 39-176. Death scene images; prohibited monetization; civil  
14 penalty; exceptions  
15 A. A PERSON MAY NOT MONETIZE OR PROFIT FROM A DEATH SCENE IMAGE  
16 THAT IS OBTAINED PURSUANT TO THIS ARTICLE.  
17 B. A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY  
18 OF \$100,000 FOR EACH VIOLATION.  
19 C. THIS SECTION DOES NOT APPLY TO A DEATH SCENE IMAGE WHEN THE  
20 IMAGE IS EITHER:  
21 1. USED IN A CRIMINAL PROSECUTION OR OFFICIAL INVESTIGATION.  
22 2. POSSESSED BY THE PARENT, LEGAL GUARDIAN OR ESTATE OF THE  
23 DECEASED MINOR.  
24 3. DISCLOSED PURSUANT TO A COURT ON A SHOWING OF GOOD CAUSE UNLESS  
25 SPECIFICALLY PROHIBITED BY THE COURT.  
26 39-177. Child abuse records; prohibited disclosure;  
27 exceptions; good cause determination  
28 A. CHILD ABUSE RECORDS ARE CONFIDENTIAL AND ARE NOT SUBJECT TO  
29 DISCLOSURE PURSUANT TO THIS ARTICLE.  
30 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, A CHILD ABUSE  
31 RECORD MAY BE DISCLOSED TO THE FOLLOWING:  
32 1. THE PARENT OR LEGAL GUARDIAN OF THE MINOR UNLESS THE PARENT OR  
33 LEGAL GUARDIAN IS THE SUBJECT OF THE CHILD ABUSE INVESTIGATION OR A  
34 HOMICIDE INVESTIGATION.  
35 2. THE MINOR'S LEGAL REPRESENTATIVE.  
36 3. A LAW ENFORCEMENT AGENCY, PROSECUTOR OR CHILD WELFARE AGENCY FOR  
37 THE PURPOSE OF AN INVESTIGATION OR FORMAL PROCEEDING.  
38 4. THE DEFENDANT'S ATTORNEY IN A CRIMINAL CASE INVOLVING THE MINOR  
39 AS PROVIDED FOR BY LAW AND COURT RULE. ANY RECORDS DISCLOSED TO THE  
40 DEFENDANT'S ATTORNEY PURSUANT TO THIS PARAGRAPH MAY NOT BE FURTHER  
41 DISSEMINATED WITHOUT A COURT ORDER ON A FINDING OF GOOD CAUSE.  
42 5. A PERSON WHO IS AUTHORIZED BY AN ORDER FROM A COURT OF COMPETENT  
43 JURISDICTION ON A FINDING OF GOOD CAUSE. IN DETERMINING WHETHER GOOD  
44 CAUSE EXISTS, THE COURT SHALL CONSIDER ALL OF THE FOLLOWING:  
45 (a) THE PRIVACY AND SAFETY INTERESTS OF THE MINOR.  
46 (b) WHETHER THE DISCLOSURE IS NECESSARY TO EVALUATE THE CONDUCT OF  
47 A PUBLIC OFFICIAL OR AGENCY.  
48 (c) WHETHER THE DISCLOSURE WILL CAUSE PSYCHOLOGICAL HARM OR TRAUMA  
49 TO THE MINOR.

1 C. THIS SECTION DOES NOT PROHIBIT THE DISCLOSURE OF A WRITTEN  
2 REPORT, AN INVESTIGATIVE SUMMARY OR STATISTICAL INFORMATION THAT DOES NOT  
3 CONTAIN A VISUAL DEPICTION OR AUDIO RECORDING OR TRANSCRIPT OF THE MINOR  
4 VICTIM.

5 D. A PERSON WHO RECEIVES A CHILD ABUSE RECORD PURSUANT TO  
6 SUBSECTION B OF THIS SECTION MAY NOT FURTHER DISSEMINATE THE RECORD.

7 39-178. Death scene images; deceased minor and child abuse  
8 records; civil action; enforcement; investigation  
9 authority

10 A. THE ATTORNEY GENERAL, THE COUNTY ATTORNEY IN THE COUNTY WHERE  
11 THE RECORD ORIGINATED OR THE CITY OR TOWN ATTORNEY IN THE CITY OR TOWN  
12 WHERE THE RECORD ORIGINATED MAY BRING A CIVIL ACTION TO ENFORCE THIS  
13 ARTICLE. IN ANY ACTION UNDER THIS ARTICLE, THE COURT MAY ORDER ALL OF THE  
14 FOLLOWING:

15 1. THE IMMEDIATE REMOVAL OF THE DECEASED MINOR RECORD, DEATH SCENE  
16 IMAGE OR CHILD ABUSE RECORD FROM ANY PLATFORM OR PUBLICATION THAT IS  
17 SUBJECT TO THE COURT'S JURISDICTION.

18 2. THE IMMEDIATE DESTRUCTION OF ANY DECEASED MINOR RECORD, DEATH  
19 SCENE IMAGE OR CHILD ABUSE RECORD THAT IS IN THE PERSON'S POSSESSION.

20 3. INJUNCTIVE RELIEF TO PREVENT ANY FURTHER MONETIZATION OR  
21 DISTRIBUTION OF THE DECEASED MINOR RECORD, DEATH SCENE IMAGE OR CHILD  
22 ABUSE RECORD.

23 B. THE ATTORNEY GENERAL, THE COUNTY ATTORNEY OR THE CITY OR TOWN  
24 ATTORNEY WHO HAS THE AUTHORITY TO FILE A CIVIL ACTION PURSUANT TO THIS  
25 SECTION HAS THE AUTHORITY TO INVESTIGATE ANY ALLEGED VIOLATION OF THIS  
26 ARTICLE, INCLUDING THE POWER TO SUBPOENA RECORDS OR EXAMINE A PERSON UNDER  
27 OATH.

28 Sec. 5. Emergency

29 This act is an emergency measure that is necessary to preserve the  
30 public peace, health or safety and is operative immediately as provided by  
31 law."

32 Amend title to conform

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