

**Assembly Bill No. 2029**

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Passed the Assembly August 27, 2014

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*Chief Clerk of the Assembly*

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Passed the Senate August 22, 2014

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 27491.42 to the Government Code, relating to inquests.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2029, Cooley. Inquests: sudden unexplained death in childhood.

Existing law states findings and declarations of the Legislature that sudden infant death syndrome (SIDS) is the leading cause of death for children under age one. Under existing law, a coroner has a duty to inquire into and determine the circumstances, manner, and cause of, among other things, deaths where the suspected cause of death is sudden infant death syndrome. The coroner is required to perform an autopsy, within 24 hours or as soon thereafter as feasible, in any case where an infant has died suddenly and unexpectedly.

This bill would define “sudden unexplained death in childhood” as the sudden death of a child one year of age or older but under 18 years of age that is unexplained by the history of the child and for which a thorough postmortem examination fails to demonstrate an adequate cause of death. This bill would require the coroner to notify the parent or responsible adult of a child within that definition about the importance of taking tissue samples. This bill would also exempt the coroner from liability for damages in a civil action for any act or omission done in compliance with these provisions.

By expanding the duties of a local agency, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 27491.42 is added to the Government Code, to read:

27491.42. (a) For purposes of this article, “sudden unexplained death in childhood” means the sudden death of a child one year of age or older but under 18 years of age that is unexplained by the history of the child and where a thorough postmortem examination fails to demonstrate an adequate cause of death.

(b) The coroner shall notify the parent or responsible adult of a child described in subdivision (a) about the importance of taking tissue samples.

(c) A coroner shall not be liable for damages in a civil action for any act or omission in compliance with this section.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved \_\_\_\_\_, 2014

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*Governor*