

1976 WL 30764 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 8, 1976

***1 In Re: Coroners, Burial of Dead Body, Powers Regarding**

Honorable Cecil Bowers
Coroner
Camden, South Carolina

Dear Mr. Bowers:

You have inquired generally as to the authority of a coroner with reference to burial of a dead body.

Section 17-91, 1962 Code of Laws of South Carolina, states that when a body 'is found dead and an investigation or inquest is deemed advisable, the coroner . . . shall' conduct a preliminary investigation, and Section 17-96 provides that coroners 'may take inquest of casual or violent deaths.'

Section 17-141 provides criminal penalties 'if any person shall bury or cause to be buried the dead body of a person supposed to have come to a violent death before notice to the coroner . . .'

As you know, a coroner may order an autopsy to ascertain the cause of death. Section 17-90.

Insofar as I know, there is no provision that a coroner must be notified when there is no probable cause to believe that an inquest is advisable.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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