

1978 S.C. Op. Atty. Gen. 94 (S.C.A.G.), 1978 S.C. Op. Atty. Gen. No. 78-68, 1978 WL 22549

Office of the Attorney General

State of South Carolina

Opinion No. 78-68

April 3, 1978

**\*1 SUBJECT: Coroners**

1. The coroner of a county in which an injury was inflicted has no authority to order an autopsy or post-mortem examination if the person is taken out of the county or state for medical treatment and dies in another county or state.
2. A coroner's permission is not necessary to authorize an autopsy on a body found outside his county or state.

Mr. Neal Forney  
Assistant Director  
South Carolina Court Administration

**QUESTIONS PRESENTED:**

1. If a person who is taken out of the county or state for medical treatment dies, does the coroner of the county in which the injury was inflicted have the authority to order an autopsy or post-mortem examination?
2. Does the coroner of the county in which the injury was inflicted have to give permission for an autopsy or post-mortem examination to be conducted in another county or state?

**AUTHORITIES:**

[Section 17-7-10, 1976 Code of Laws of South Carolina](#); 1974 Ops.Att'y.Gen., No. 3723, p. 81.

**DISCUSSION:**

1. You have asked whether the coroner of a county in which an injury was inflicted has authority to order an autopsy or post-mortem examination if the person is taken out of the county or state for medical treatment and dies in another county or state. It is our opinion that he does not have such authority outside the coroner's county.

[Section 17-7-10 of the 1976 Code of Laws of South Carolina](#) authorizes coroners to order autopsies upon dead bodies found in the county. However, that authorization is limited to when the dead body is found within the particular coroner's county. 1974 Ops.Att'y.Gen., No. 3723, p. 81. A South Carolina coroner similarly has no authority to order autopsies performed in another state. *Id.*

2. Since a coroner's authority to order an autopsy is limited to dead bodies found in his particular county, it follows that his permission to perform an autopsy on a body found outside his county is unnecessary.

**CONCLUSION:**

1. Therefore, it is the opinion of this Office that the coroner of a county in which an injury was inflicted has no authority to order an autopsy or post-mortem examination if the person is taken out of the county or state for medical treatment and dies in another county or state.
2. Such a coroner's permission is not necessary to authorize an autopsy on a body found outside his county or state.

Richard P. Wilson  
Assistant Attorney General

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