

**LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE
PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO FILE #19-4259
PROPOSED RESOLUTION
07/24/2019**

AN AMENDMENT TO CHAPTER 38, ARTICLE VI, HEALTH AND HUMAN SERVICES

WHEREAS, on June 1st 2019, the Illinois General Assembly passed the Reproductive Health Act, which was signed into law by Governor J.B. Pritzker on June 12th, 2019, and provides that every individual has a fundamental right to make autonomous decisions about one's own reproductive health; and

WHEREAS, said Act further provides that every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth or to have an abortion, and to make autonomous decisions about how to exercise that right; and

WHEREAS, the Act repeals provisions related to criminal offenses in cases of abortion in the Criminal Code of 2012, as well as provisions in the Counties Code requiring Coroners investigate fetal deaths due to abortion; and

WHEREAS, the Cook County Code of Ordinances currently requires the Medical Examiner to investigate deaths under the category of criminal abortion; and

WHEREAS, it would be prudent to align the Cook County Code with State Law as it relates to the Reproductive Health Act;

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38 – Health and Human Services, Article VI, Section 38-118 – Deaths Subject to Investigation, of the Cook County Code is hereby amended as follows:

Sec. 38-118. - Deaths subject to investigation.

The Medical Examiner shall investigate any human death that falls within any of the following categories:

- (a) Criminal violence.
- (b) Suicide.
- (c) Accident.
- (d) Suddenly when in apparent good health.

- (e) Unattended by a practicing, licensed physician, other than apparent natural deaths.
- (f) Suspicious or unusual circumstances.

~~(g) Criminal abortion.~~

(g) Unlawful fetal death as provided in Public Act 101-0013 of the 101st General Assembly of Illinois.

- (h) Poisoning or attributable to an adverse reaction to drugs and/or alcohol.
- (i) Diseases constituting a threat to public health.
- (j) Disease, injury or toxic agent resulting from employment.
- (k) During medical diagnostic or therapeutic procedures that do not include death as a reasonable possible outcome.
- (l) In any prison or penal institution.
- (m) When involuntarily confined in jail, prison, hospitals or other institutions or in Police custody.
- (n) When any human body is to be cremated, dissected or buried at sea.
- (o) Unidentified human remains.
- (p) When a dead body is brought into a new medico-legal jurisdiction without proper medical certification.

Effective Date: This Ordinance Amendment shall be effective upon passage.