

1 AN ACT relating to coroners.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 → Section 1. KRS 64.185 is amended to read as follows:

4 (1) (a) Coroners shall receive out of the county, consolidated local government,
 5 charter county government, urban-county government, or unified local
 6 government treasury, whichever is appropriate, the monthly compensation the
 7 fiscal court of each county shall fix, subject to the following minimums:

8	County	Monthly Minimum
9	Population	Compensation
10	1. 10,000 or less	\$200
11	2. 10,001 to 20,000	300
12	3. 20,001 to 40,000	350
13	4. 40,001 to 60,000	400
14	5. 60,001 to 100,000	450
15	6. 100,001 to 150,000	800
16	7. 150,001 or more	1,000

17 (b) Coroners who hold a current certificate of continuing education, issued jointly
 18 by the Department of Criminal Justice Training, Justice and Public Safety
 19 Cabinet, and the Office of the Kentucky State Medical Examiner, Justice and
 20 Public Safety Cabinet, **and who have completed the course described in**
 21 **subsection (4)(b) of this section,** shall be paid the following minimum
 22 monthly compensation set forth in this subsection in recognition of the
 23 training:

24	County	Monthly Minimum
25	Population	Compensation
26	1. 10,000 or less	\$400
27	2. 10,001 to 20,000	500

1	3.	20,001 to 40,000	650
2	4.	40,001 to 60,000	750
3	5.	60,001 to 100,000	850
4	6.	100,001 to 150,000	1,100
5	7.	150,001 or more	1,300

6 (2) Deputy coroners who hold a current certificate of continuing education, as described
 7 in subsection (1)(b) of this section, **and have completed the course described in**
 8 **subsection (4)(b) of this section,** shall receive out of the county, consolidated local
 9 government, charter county government, urban-county government, or unified local
 10 government treasury, whichever is appropriate, the monthly compensation the fiscal
 11 court of each county shall fix, subject to the following minimums:

12	County	Monthly Minimum
13	Population	Compensation
14	(a) 10,000 or less	\$200
15	(b) 10,001 to 20,000	250
16	(c) 20,001 to 40,000	275
17	(d) 40,001 to 60,000	300
18	(e) 60,001 to 100,000	400
19	(f) 100,001 to 150,000	900
20	(g) 150,001 or more	1,100

21 (3) The fiscal court of any county, or the legislative body of a consolidated local
 22 government, charter county government, urban-county government, or unified local
 23 government may compensate coroners and deputy coroners an additional amount of
 24 up to three hundred dollars (\$300) per month as an expense allowance.

25 (4) **(a)** The initial course of continuing education required under subsection (1)(b) of
 26 this section shall consist of a forty (40) hour basic training course prescribed
 27 by the Justice and Public Safety Cabinet. Annually thereafter the coroner shall

1 attend and successfully complete at least eighteen (18) hours of approved
 2 training in order to be compensated in accordance with subsection (1)(b) of
 3 this section.

4 **(b) Within three (3) years of initially assuming office, in order to be**
 5 **compensated in accordance with subsections (1)(b) and (2) of this section, a**
 6 **coroner or deputy coroner shall attend and complete a course of at least**
 7 **four (4) hours provided by the Department of Criminal Justice Training**
 8 **that shall include instruction on the grieving process and best practices for**
 9 **providing a notice of death to a spouse or next of kin and may include**
 10 **instruction on other similar topics. A coroner or deputy coroner that has**
 11 **completed the course shall not be required to retake the course.**

12 (5) If a deputy coroner assumes the office of coroner after receiving the training
 13 stipulated in this section, the deputy coroner shall be compensated in accordance
 14 with the compensation schedule set forth in subsection (1)(b) of this section.

15 (6) The number of deputy coroners in a county shall not exceed one (1) for each
 16 twenty-five thousand (25,000) inhabitants, or fraction thereof, according to the most
 17 recent federal census, but every coroner may, subject to the approval of the
 18 legislative body of the county, consolidated local government, charter county
 19 government, urban-county government, or unified local government, appoint
 20 additional deputy coroners, regardless of population.

21 ➔ Section 2. KRS 72.415 is amended to read as follows:

22 (1) For the purpose of enforcing the provisions of KRS 72.410 to 72.470, coroners and
 23 deputy coroners shall have the full power and authority of peace officers in this
 24 state, including the power of arrest and the authority to bear arms, and shall have the
 25 power and authority to:

26 (a) Administer oaths;

27 (b) Enter upon public or private premises for the purpose of making

- 1 investigations;
- 2 (c) Seize evidence;
- 3 (d) Interrogate persons;
- 4 (e) Require the production of medical records, books, papers, documents, or other
5 evidence;
- 6 (f) Impound vehicles involved in vehicular deaths;
- 7 (g) Employ special investigators and photographers; and
- 8 (h) Expend funds for the purpose of carrying out the provisions of KRS 72.410 to
9 72.470.

10 The fiscal court or urban-county government shall pay all reasonable expenses
11 incurred by the coroner and his deputy in carrying out his responsibilities under the
12 provisions of KRS 72.410 to 72.470.

- 13 (2) (a) **I.** No person shall be eligible to hold the office of deputy coroner unless he
14 holds a high school diploma or its recognized equivalent. Every deputy
15 coroner, other than a licensed physician, shall be required as a condition
16 of office to take during every calendar year he or she is in office the
17 training course of at least eighteen (18) hours provided by the
18 Department of Criminal Justice Training or other courses approved by
19 the Justice and Public Safety Cabinet after having completed the basic
20 training course the first year of employment. The training course shall
21 include material developed by the cabinet and approved by the Cabinet
22 for Health and Family Services on the human immunodeficiency virus
23 infection and acquired immunodeficiency syndrome. The material shall
24 include information on known modes of transmission and methods of
25 controlling and preventing these diseases with an emphasis on
26 appropriate behavior and attitude change.

27 **2. Within three (3) years of initially assuming office, every deputy**

1 **coroner shall be required as a condition of office to take a course of at**
 2 **least four (4) hours provided by the Department of Criminal Justice**
 3 **Training that shall include instruction on the grieving process and**
 4 **best practices for providing a notice of death to a spouse or next of kin**
 5 **and may include instruction on other similar topics, as set out in**
 6 **subsection (4)(b) of Section 1 of this Act. A deputy coroner that has**
 7 **completed the course shall not be required to retake the course.**

- 8 (b) 1. Any deputy coroner subject to the training requirements of paragraph (a)
 9 of this subsection who fails to complete the mandated training shall be
 10 ineligible to perform the duties of deputy coroner, and may be
 11 terminated by the coroner. The coroner shall make written notification of
 12 the deputy coroner's ineligibility to perform his or her duties to the
 13 deputy coroner and to the fiscal court or the legislative body of the
 14 consolidated local government, charter county government, urban-
 15 county government, or unified local government.
- 16 2. The deputy coroner shall regain his or her eligibility upon successful
 17 recompletion of the initial basic training course referenced in KRS
 18 64.185(4), which shall be evidenced by written certification provided by
 19 the Department of Criminal Justice Training to the coroner. Upon
 20 receipt of the certification, the coroner shall make written notification of
 21 the reinstatement of eligibility to the deputy coroner and to the fiscal
 22 court or the legislative body of the consolidated local government,
 23 charter county government, urban-county government, or unified local
 24 government.
- 25 3. The compensation of a deputy coroner who becomes ineligible to
 26 perform his or her duties under subparagraph 1. of this paragraph shall
 27 be modified as follows:

- 1 a. From the coroner's written notification of ineligibility until the
 2 deputy coroner begins the basic training course mandated by
 3 subparagraph 2. of this paragraph, the deputy coroner shall receive
 4 no compensation;
- 5 b. From the first day that the deputy coroner begins the basic training
 6 course mandated by subparagraph 2. of this paragraph until written
 7 notification of course outcome is received by the coroner, the
 8 deputy coroner shall be compensated at his or her previously
 9 established rate of compensation;
- 10 c. If the deputy coroner fails the basic training course mandated by
 11 subparagraph 2. of this paragraph, the deputy coroner shall receive
 12 no compensation from the date of receipt of notification of failure
 13 from Department of Criminal Justice Training to the coroner until
 14 the deputy coroner begins anew the basic training course mandated
 15 by subparagraph 2. of this paragraph, at which time the deputy
 16 coroner shall be compensated at his or her previously established
 17 rate of compensation; and
- 18 d. If the deputy coroner successfully completes the basic training
 19 course mandated by subparagraph 2. of this paragraph as
 20 evidenced by written certification provided by the Department of
 21 Criminal Justice Training to the coroner, the deputy coroner shall
 22 receive compensation as is normally determined for deputy
 23 coroners pursuant to statute.

24 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 72 IS CREATED TO
 25 READ AS FOLLOWS:

26 **(1) A coroner shall follow the requirements of subsection (3) of this section relating**
 27 **to notification of a spouse, if any, or next of kin, when the coroner has reason to**

1 believe that the spouse, if any, or next of kin has not yet been notified of the
2 decedent's death, and:

3 (a) A coroner is acting under KRS 72.450 and has reason to believe that the
4 spouse, if any, or next of kin of the decedent resides in the coroner's
5 jurisdiction; or

6 (b) A coroner has received notification from another official that a spouse, if
7 any, or next of kin of a decedent resides in the coroner's jurisdiction.

8 (2) A coroner is not required to follow subsection (3) of this section when the coroner
9 is acting under KRS 72.450, but has reason to believe that the spouse, if any, or
10 next of kin of the decedent resides outside of the coroner's jurisdiction. In that
11 event, the coroner shall only be required to contact the coroner or other official
12 responsible for providing notification in that jurisdiction regarding the
13 decedent's death.

14 (3) When providing notification to the spouse, if any, or next of kin of a decedent
15 regarding the decedent's death, the coroner shall:

16 (a) Prior to the notification:

17 1. Contact, through nonemergency means and without disclosing any
18 information identifying the decedent or spouse, if any, or next of kin
19 of the decedent, an entity capable of providing emergency medical
20 assistance;

21 2. Inform the entity that a notification is planned to take place; and

22 3. Confirm that the entity is capable of providing a prompt emergency
23 response.

24 Nothing in this paragraph shall be construed to prohibit a coroner from
25 disclosing any information identifying the decedent or spouse, if any, or
26 next of kin of a decedent to an entity capable of providing emergency
27 assistance in the case of an emergency;

- 1 (b) Arrange for another member of the coroner's office or, if another member
 2 is not available, a law enforcement officer, member of the clergy,
 3 professional grief counselor, or other respected member of the community
 4 to assist, in person, in providing the notification;
- 5 (c) Provide the notification orally, in person, and in a respectful manner;
- 6 (d) Assist the recipient of the notification in contacting family or friends, and,
 7 in the event that the recipient is alone, remain with the recipient of the
 8 notification for as long as practicable or until a friend, family member, or
 9 other person is able to arrive and attend to the recipient;
- 10 (e) Provide information to the recipient of the notification regarding the
 11 handling of the decedent's remains, contact information for the coroner's
 12 office, and information regarding organizations that provide grief
 13 counseling; and
- 14 (f) Conduct a follow-up communication with the recipient of the notification
 15 within forty-eight (48) hours of providing the notification.

16 → Section 4. KRS 311.1939 is amended to read as follows:

- 17 (1) Except as otherwise provided in subsection (4) of this section, a person shall not,
 18 for valuable consideration, knowingly purchase, sell, transfer, or offer to purchase,
 19 sell, or transfer a part for transplantation or therapy if removal of a part from an
 20 individual has occurred, is intended to occur, or after the individual's death.
- 21 (2) Any entity, regardless of tax status, may~~[A for-profit entity shall not]~~ engage,
 22 directly or indirectly, in the procurement, transfer, or distribution of any human eye,
 23 cornea, eye tissue, corneal tissue, or portions of eyes.
- 24 (3) A person who knowingly violates any of the provisions in this section shall be
 25 imprisoned in the penitentiary for not less than one (1) nor more than five (5) years
 26 or be fined not more than fifty thousand dollars (\$50,000), or both.
- 27 (4) A nonprofit entity may charge a reasonable fee~~[amount]~~ for the removal,

1 processing, preservation, quality control, storage, transportation, implantation, or
2 disposal of a part.

3 **(5) Regardless of tax status, an entity shall not engage, directly or indirectly, in the**
4 **procurement, transfer, or distribution of any fetal tissue or fetal stem cells.**

5 ➔Section 5. Sections 1 and 2 of this Act take effect January 1, 2023.

6 ➔Section 6. A coroner or deputy coroner serving on January 1, 2023, may
7 continue being compensated under Section 1 of this Act if he or she completes the course
8 described in subsection (4)(b) of Section 1 of this Act by January 1, 2026. No deputy
9 coroner shall have his or her employment status changed for failure to complete the
10 course described in subsection (4)(b) of Section 1 of this Act prior to January 1, 2026.

11 ➔Section 7. Sections 1 to 3 of this Act may be cited as Nathan's Law.