

CHAPTER 26

(HB 434)

AN ACT relating to the office of coroner.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 72 IS CREATED TO READ AS FOLLOWS:

- (1) *An outgoing coroner shall turn over all of his or her records relating to the office of coroner to the clerk of the fiscal court within ten (10) days of the end of his or her term or the date of removal or vacancy. The clerk of the fiscal court shall deliver these records to the new coroner within ten (10) days of the office being filled.*
- (2) *Any coroner who fails to comply with subsection (1) of this section shall be fined one hundred dollars (\$100) for each day the coroner fails to turn over the records of his or her office to the fiscal court clerk. The fine shall be remitted to the clerk of the fiscal court and placed in the county general fund. An outgoing coroner may appeal this fine to the Circuit Court of competent jurisdiction.*

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

- (1) For the purpose of enforcing the provisions of KRS 72.410 to 72.470, coroners and deputy coroners shall have the full power and authority of peace officers in this state, including the power of arrest and the authority to bear arms, and shall have the power and authority to:
 - (a) Administer oaths;
 - (b) Enter upon public or private premises for the purpose of making investigations;
 - (c) Seize evidence;
 - (d) Interrogate persons;
 - (e) Require the production of medical records, books, papers, documents, or other evidence;
 - (f) Impound vehicles involved in vehicular deaths;
 - (g) Employ special investigators and photographers; and
 - (h) Expend funds for the purpose of carrying out the provisions of KRS 72.410 to 72.470.

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

- (2) (a) No person shall be eligible to hold the office of deputy coroner unless he holds a high school diploma or its recognized equivalent. Every deputy coroner, other than a licensed physician, shall be required as a condition of office to take during every calendar year he or she is in office the training course of at least eighteen (18) hours provided by the Department of Criminal Justice Training or other courses approved by the Justice and Public Safety Cabinet after having completed the basic training course the first year of employment. The training course shall include material developed by the cabinet and approved by the Cabinet for Health and Family Services on the human immunodeficiency virus infection and acquired immunodeficiency syndrome. The material shall include information on known modes of transmission and methods of controlling and preventing these diseases with an emphasis on appropriate behavior and attitude change.
 1. *Any deputy coroner subject to the training requirements of paragraph (a) of this subsection who fails to complete the mandated training shall be ineligible to perform the duties of deputy coroner, and may be terminated by the coroner. The coroner shall make written notification of the deputy coroner's ineligibility to perform his or her duties to the deputy coroner and to the fiscal court or the legislative body of the consolidated local government, charter county government, urban-county government, or unified local government.*
 2. *The deputy coroner shall regain his or her eligibility upon successful recompletion of the initial basic training course referenced in KRS 64.185(4), which shall be evidenced by written certification provided by the Department of Criminal Justice Training to the coroner. Upon receipt of the certification, the coroner shall make written notification of the reinstatement of*

eligibility to the deputy coroner and to the fiscal court or the legislative body of the consolidated local government, charter county government, urban-county government, or unified local government.

3. *The compensation of a deputy coroner who becomes ineligible to perform his or her duties under subparagraph 1. of this paragraph shall be modified as follows:*
 - a. *From the coroner's written notification of ineligibility until the deputy coroner begins the basic training course mandated by subparagraph 2. of this paragraph, the deputy coroner shall receive no compensation;*
 - b. *From the first day that the deputy coroner begins the basic training course mandated by subparagraph 2. of this paragraph until written notification of course outcome is received by the coroner, the deputy coroner shall be compensated at his or her previously established rate of compensation;*
 - c. *If the deputy coroner fails the basic training course mandated by subparagraph 2. of this paragraph, the deputy coroner shall receive no compensation from the date of receipt of notification of failure from Department of Criminal Justice Training to the coroner until the deputy coroner begins anew the basic training course mandated by subparagraph 2. of this paragraph, at which time the deputy coroner shall be compensated at his or her previously established rate of compensation; and*
 - d. *If the deputy coroner successfully completes the basic training course mandated by subparagraph 2. of this paragraph as evidenced by written certification provided by the Department of Criminal Justice Training to the coroner, the deputy coroner shall receive compensation as is normally determined for deputy coroners pursuant to statute.*

Signed by Governor April 1, 2016.