

CHAPTER 138

(SB 66)

AN ACT relating to coroners.

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

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

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

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

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

County Population	Monthly Minimum Compensation
1. 10,000 or less	\$400
2. 10,001 to 20,000	500
3. 20,001 to 40,000	650
4. 40,001 to 60,000	750
5. 60,001 to 100,000	850
6. 100,001 to 150,000	1,100
7. 150,001 or more	1,300

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

County Population	Monthly Minimum Compensation
(a) 10,000 or less	\$200
(b) 10,001 to 20,000	250
(c) 20,001 to 40,000	275

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| (d) | 40,001 to 60,000 | 300 |
| (e) | 60,001 to 100,000 | 400 |
| (f) | 100,001 to 150,000 | 900 |
| (g) | 150,001 or more | 1,100 |
- (3) The fiscal court of any county, or the legislative body of a consolidated local government, charter county government, urban-county government, or unified local government may compensate coroners and deputy coroners an additional amount of up to three hundred dollars (\$300) per month as an expense allowance.
- (4) (a) The initial course of continuing education required under subsection (1)(b) of this section shall consist of a forty (40) hour basic training course prescribed by the Justice and Public Safety Cabinet. Annually thereafter the coroner shall attend and successfully complete at least eighteen (18) hours of approved training in order to be compensated in accordance with subsection (1)(b) of this section.
- (b) ***Within three (3) years of initially assuming office, in order to be compensated in accordance with subsections (1)(b) and (2) of this section, a coroner or deputy coroner shall attend and complete a course of at least four (4) hours provided by the Department of Criminal Justice Training that shall include instruction on the grieving process and best practices for providing a notice of death to a spouse or next of kin and may include instruction on other similar topics. A coroner or deputy coroner that has completed the course shall not be required to retake the course.***
- (5) If a deputy coroner assumes the office of coroner after receiving the training stipulated in this section, the deputy coroner shall be compensated in accordance with the compensation schedule set forth in subsection (1)(b) of this section.
- (6) The number of deputy coroners in a county shall not exceed one (1) for each twenty-five thousand (25,000) inhabitants, or fraction thereof, according to the most recent federal census, but every coroner may, subject to the approval of the legislative body of the county, consolidated local government, charter county government, urban-county government, or unified local government, appoint additional deputy coroners, regardless of population.

➔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) ***I.*** 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.

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

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

- (1) ***A coroner shall follow the requirements of subsection (3) of this section relating to notification of a spouse, if any, or next of kin, when the coroner has reason to believe that the spouse, if any, or next of kin has not yet been notified of the decedent's death, and:***
 - (a) ***A coroner is acting under KRS 72.450 and has reason to believe that the spouse, if any, or next of kin of the decedent resides in the coroner's jurisdiction; or***
 - (b) ***A coroner has received notification from another official that a spouse, if any, or next of kin of a decedent resides in the coroner's jurisdiction.***
- (2) ***A coroner is not required to follow subsection (3) of this section when the coroner is acting under KRS 72.450, but has reason to believe that the spouse, if any, or next of kin of the decedent resides outside of the***

coroner's jurisdiction. In that event, the coroner shall only be required to contact the coroner or other official responsible for providing notification in that jurisdiction regarding the decedent's death.

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

(a) *Prior to the notification:*

1. *Contact, through nonemergency means and without disclosing any information identifying the decedent or spouse, if any, or next of kin of the decedent, an entity capable of providing emergency medical assistance;*
2. *Inform the entity that a notification is planned to take place; and*
3. *Confirm that the entity is capable of providing a prompt emergency response.*

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

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

➔Section 4. Sections 1 and 2 of this Act take effect January 1, 2023.

➔Section 5. A coroner or deputy coroner serving on January 1, 2023, may continue being compensated under Section 1 of this Act if he or she completes the course described in subsection (4)(b) of Section 1 of this Act by January 1, 2026. No deputy coroner shall have his or her employment status changed for failure to complete the course described in subsection (4)(b) of Section 1 of this Act prior to January 1, 2026.

➔Section 6. This Act may be cited as Nathan's Law.

Signed by Governor April 8, 2022.