

72.415 Power and authority of coroners and their deputies -- Training course for deputy coroners -- Effects of failure to complete required training.

- (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)
 1. 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 KRS 64.185(4)(b). 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.

Effective: January 1, 2023

History: Amended 2022 Ky. Acts ch. 138, sec. 2, effective January 1, 2023. -- Amended 2016 Ky. Acts ch. 26, sec. 2, effective July 15, 2016. -- Amended 2007

Ky. Acts ch. 85, sec. 153, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 112, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 95, effective July 15, 1998. -- Amended 1990 Ky. Acts ch. 443, sec. 35, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 248, sec. 2, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 64, sec. 6, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 195, sec. 11, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 93, sec. 5, effective June 17, 1978.

Legislative Research Commission Note (1/1/2023). 2022 Ky. Acts ch. 138, sec. 6, provides that the Act, which amended this statute and KRS 64.185 and created KRS 72.480, may be cited as Nathan's Law.

Legislative Research Commission Note (6/26/2007). The numbering of subsection (1) of this section has been altered by the Reviser of Statutes from the numbering in 2007 Ky. Acts ch. 85, sec. 153, under the authority of KRS 7.136.