

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2456 Session of 2014

INTRODUCED BY BENNINGHOFF, R. BROWN, COHEN, D. COSTA, EVERETT, FLECK, GILLEN, GINGRICH, GRELL, HANNA, HARHART, C. HARRIS, KAUFFMAN, M. K. KELLER, MACKENZIE, MAJOR, MILNE, MIRABITO, MURT, PEIFER, PICKETT, READSHAW, ROCK, SAMUELSON, SCAVELLO, SCHLOSSBERG, SIMMONS, SNYDER, TALLMAN, THOMAS, WATSON, WHITE, CAUSER, BAKER, NEUMAN, MOUL, ELLIS, SCHREIBER AND REGAN, SEPTEMBER 8, 2014

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 8, 2014

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,
 2 as amended, "An act relating to counties of the first, third,
 3 fourth, fifth, sixth, seventh and eighth classes; amending,
 4 revising, consolidating and changing the laws relating
 5 thereto; relating to imposition of excise taxes by counties,
 6 including authorizing imposition of an excise tax on the
 7 rental of motor vehicles by counties of the first class; and
 8 providing for regional renaissance initiatives," repealing
 9 provisions related to coroners in Article XII; providing for
 10 definitions, for deputies, for duties regarding county
 11 morgues, for removal of bodies to morgue, for coroners'
 12 vehicles, for unclaimed property of deceased and sales, for
 13 private morgue may be used, for requests for examinations and
 14 reports and for cremation or disposition authorization;
 15 imposing a penalty; providing for coroner's investigation,
 16 for drugs, for autopsy, inquest and records, for certain
 17 child deaths, for sudden death, for bodies not to be moved,
 18 for release of coroner's jurisdiction, for cooperation with
 19 district attorney, for cooperation with other counties, for
 20 certificate of cause of death, for power of subpoena and
 21 attachment, for inquests and juries, for power to administer
 22 oaths, for commitment to county prison, for inquests not
 23 public, for chief deputy coroner to act as coroner in case of
 24 vacancy, for vacancies and no fees upon commissions, for
 25 records of coroner, for certain reproduction of images of
 26 deceased prohibited, for solicitor to coroner, for anatomical
 27 gifts, for not to exercise office until commission granted
 28 and recorded and penalty, for Coroners' Education Board, for
 29 coroners' course of instruction, for elected and appointed

1 coroners to take course of instruction and pass examination,
2 for chief deputies and deputies to take course of
3 instruction, for continuing education and for tuition and
4 expenses to be paid by county; and repealing Coroners'
5 Education Board Law.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Article XII heading of the act of August 9, 1955
9 (P.L.323, No.130), known as The County Code, is amended to read:

10 ARTICLE XII

11 SHERIFF [AND CORONER]

12 Section 2. The heading of Subarticle (a) of Article XII of
13 the act is repealed:

14 [(a) Sheriff]

15 Section 3. Section 1214 of the act, amended May 3, 1968
16 (P.L.115, No.59), is repealed:

17 [Section 1214. Chief Deputy Coroner to Act as Coroner in
18 Case of a Vacancy.--If any coroner shall be legally removed from
19 his office or shall die or resign before the expiration of the
20 term for which he was commissioned, the chief deputy coroner
21 shall execute the office of coroner and perform all things
22 thereunto appertaining and receive and retain for his own use
23 the compensation provided by law for coroners until another
24 coroner is commissioned and notice thereof is given to such
25 chief deputy coroner.]

26 Section 4. The heading of Subarticle (b) of Article XII of
27 the act is repealed:

28 [(b) Coroner]

29 Section 5. Section 1231 of the act, amended June 27, 1973
30 (P.L.72, No.31), is repealed:

31 [Section 1231. Deputies.--The coroner may appoint one or
32 more deputies to act in his place and stead, as he may deem

1 proper and necessary. Such deputy or deputies shall have the
2 same powers as the coroner.]

3 Section 6. Sections 1232 and 1233 of the act are repealed:

4 [Section 1232. Duties with Respect to County Morgues.--The
5 coroner of each county in which a county morgue is established,
6 shall make general rules and regulations for its government and
7 control, and shall appoint suitable persons for each morgue so
8 established to have charge of the same, and who shall be
9 removable at the pleasure of the coroner. The number of such
10 persons and the salary of each shall be fixed by the salary
11 board.

12 Section 1233. Removal of Bodies to Morgue.--Whenever the
13 body of any deceased person who is unidentified or which body is
14 unclaimed by proper persons has been found within the county, it
15 shall be removed to the county morgue or to a private morgue
16 serving in lieu thereof. The coroner shall, if he deems it
17 necessary, cause any such body to be properly embalmed or
18 prepared for preservation for such length of time as he may
19 think proper. Any such body shall be examined or inspected only
20 by such persons as the coroner authorizes in writing, or who are
21 admitted in his presence. No such body shall be removed from any
22 such morgue except upon the certificate of the coroner.]

23 Section 7. Section 1234 of the act, amended November 29,
24 1990 (P.L.602, No.152), is repealed:

25 [Section 1234. Ambulance.--In each county, the county
26 commissioners may furnish and maintain, from the general funds
27 of the county, an ambulance for the removal of bodies of
28 deceased persons to and from the morgue, and for the burial of
29 unclaimed bodies. The coroner may provide rules and regulations
30 for the use and maintenance of the ambulance.]

1 Section 8. Sections 1235 and 1236 of the act are repealed:

2 [Section 1235. Unclaimed Property of Deceased; Sales.--(a)

3 The coroner shall safely keep in his charge all personal effects
4 and property which appear to have been on or about the person at
5 the time of his death, or being found on any decedent whose body
6 is received at the county morgue or at any other morgue serving
7 in lieu thereof, and all such effects and property which are
8 delivered to him according to law. The coroner shall hold such
9 property for one year, unless sooner claimed by legal
10 representatives of the deceased, or otherwise duly and lawfully
11 claimed or disposed of.

12 (b) After one year, the coroner shall cause such property
13 remaining unclaimed, or so much thereof as remains undisposed of
14 according to law, except moneys and such properties as
15 securities which may not be subject to such a sale, which shall
16 be turned over to the commissioners for proper disposition or
17 use, to be sold at public sale.

18 (c) Notice of any such public sale shall be published in at
19 least one newspaper of general circulation in the county once a
20 week for three successive weeks. The proceeds of all such sales
21 shall be paid immediately into the county treasury, and the
22 coroner shall make a written report thereof to the county
23 commissioners, under oath, at the same time. If the body has
24 been buried at the expense of the institution district, the
25 county shall pay the proceeds of sale, or such property as was
26 not subject to sale, as hereinbefore provided, less costs, over
27 to the institution district. The foregoing provisions shall be
28 in lieu of escheat to the Commonwealth.

29 Section 1236. Private Morgue May be Used.--In any county
30 where a county morgue is not maintained, the coroner may cause

1 any body which he is authorized to admit to a county morgue to
2 be removed to a private morgue within the county, and, for the
3 use thereof, the owner shall be paid a sum to be established by
4 the salary board, to be paid in the same manner as fees of
5 coroner's jurors are paid.]

6 Section 9. Sections 1236.1, 1237, 1238, 1239 and 1240 of the
7 act, amended or added November 29, 1990 (P.L.602, No.152), are
8 repealed:

9 [Section 1236.1. Requests for Examinations and Reports.--(a)
10 Requests for examinations or other professional services by
11 other counties or persons may be complied with at the discretion
12 of the coroner pursuant to guidelines established by the county
13 commissioners.

14 (b) A set of fees and charges for such examinations or
15 professional services shall be established by the coroner,
16 subject to approval by the county commissioners, and shall be
17 accounted for and paid to the county treasurer pursuant to
18 section 1760. Payment for examinations or professional services
19 shall be the responsibility of the county or person requesting
20 such services.

21 (c) The coroner may charge and collect a fee of up to one
22 hundred dollars (\$100) for each autopsy report, up to fifty
23 dollars (\$50) for each toxicology report, up to fifty dollars
24 (\$50) for each inquisition or coroner's report and such other
25 fees as may be established from time to time for other reports
26 and documents requested by nongovernmental agencies. The fees
27 collected shall be accounted for and paid to the county
28 treasurer pursuant to section 1760 and shall be used to defray
29 the expenses involved in the county complying with the
30 provisions of the act of March 2, 1988 (P.L.108, No.22),

1 referred to as the Coroners' Education Board Law.

2 Section 1237. Coroner's Investigations.--(a) The coroner
3 having a view of the body shall investigate the facts and
4 circumstances concerning deaths which appear to have happened
5 within the county, regardless where the cause thereof may have
6 occurred, for the purpose of determining whether or not an
7 autopsy should be conducted or an inquest thereof should be had,
8 in the following cases:

9 (1) sudden deaths not caused by readily recognizable
10 disease, or wherein the cause of death cannot be properly
11 certified by a physician on the basis of prior (recent) medical
12 attendance;

13 (2) deaths occurring under suspicious circumstances,
14 including those where alcohol, drugs or other toxic substances
15 may have had a direct bearing on the outcome;

16 (3) deaths occurring as a result of violence or trauma,
17 whether apparently homicidal, suicidal or accidental (including,
18 but not limited to, those due to mechanical, thermal, chemical,
19 electrical or radiational injury, drowning, cave-ins and
20 subsidences);

21 (4) any death in which trauma, chemical injury, drug
22 overdose or reaction to drugs or medication or medical treatment
23 was a primary or secondary, direct or indirect, contributory,
24 aggravating or precipitating cause of death;

25 (5) operative and peri-operative deaths in which the death
26 is not readily explainable on the basis of prior disease;

27 (6) any death wherein the body is unidentified or unclaimed;

28 (7) deaths known or suspected as due to contagious disease
29 and constituting a public hazard;

30 (8) deaths occurring in prison or a penal institution or

1 while in the custody of the police;

2 (9) deaths of persons whose bodies are to be cremated,
3 buried at sea or otherwise disposed of so as to be thereafter
4 unavailable for examination;

5 (10) sudden infant death syndrome; and

6 (11) stillbirths.

7 (b) The purpose of the investigation shall be to determine
8 the cause of any such death and to determine whether or not
9 there is sufficient reason for the coroner to believe that any
10 such death may have resulted from criminal acts or criminal
11 neglect of persons other than the deceased.

12 (c) As part of this investigation, the coroner shall
13 determine the identity of the deceased and notify the next of
14 kin of the deceased.

15 Section 1238. Autopsy; Inquest; Records.--(a) If, upon
16 investigation, the coroner shall be unable to determine the
17 cause and manner of death, he shall perform or order an autopsy
18 on the body.

19 (b) If the coroner is unable to determine the cause and
20 manner of death following the autopsy, he may conduct an inquest
21 upon a view of the body, as provided by law. At the inquest, the
22 coroner's duty shall be to ascertain the cause of death, to
23 determine whether any person other than the deceased was
24 criminally responsible therefor by act or neglect, and if so,
25 the identity of the person, and to examine any further evidence
26 and witnesses regarding the cause of death.

27 (c) The proceedings at the inquest shall be recorded, at the
28 expense of the county, in a manner to be provided by the county
29 commissioners.

30 Section 1239. Sudden Deaths Defined.--The coroner shall

1 regard any death as sudden if it occurs without prior medical
2 attendance by a person who may lawfully execute a certificate of
3 death in this Commonwealth, or if, within twenty-four hours of
4 death, the decedent was discharged from such medical attendance
5 or a change of such medical attendance had occurred, or if any
6 such medical attendance began within twenty-four hours of death
7 and the medical attendant refuses or is unable to certify the
8 cause of death. Medical attendance includes hospitalization.

9 The provisions of this section shall not be construed to
10 affect the coroner's discretion as to whether or not any death
11 was suspicious, nor shall they be construed to authorize a
12 coroner to investigate a sudden death any further than necessary
13 to determine the cause and manner of death.

14 Section 1240. Bodies not to be Moved.--In all cases where
15 the coroner has jurisdiction to investigate the facts and
16 circumstances of death, the body and its surroundings shall be
17 left untouched until the coroner has had a view thereof or until
18 he shall otherwise direct or authorize, except as may be
19 otherwise provided by law, or as circumstances may require.
20 Bodies upon a public thoroughfare or in other places may be
21 removed so much as is necessary for precaution against traffic
22 accidents or other serious consequences which might reasonably
23 be anticipated if they were left intact.]

24 Section 10. Sections 1241, 1242 and 1243 of the act are
25 repealed:

26 [Section 1241. Release of Coroner's Jurisdiction.--Whenever
27 the coroner assumes jurisdiction of a body pursuant to the
28 provisions of this subdivision or of any other law, the body
29 shall not be released or removed from his jurisdiction except
30 upon his directions and consent, in accordance with law.

1 Section 1242. Cooperation with District Attorney.--In the
2 exercise of his duties as contained in this subdivision, the
3 coroner shall, so far as may be practicable, consult and advise
4 with the district attorney. The district attorney shall act as
5 counsel to the coroner in matters relating to inquests.

6 Section 1243. Justices of the Peace not Affected.--The
7 provisions of this subdivision shall not be construed to affect
8 any provisions of law requiring or authorizing justices of the
9 peace in certain cases to act in place of the coroner.]

10 Section 11. Section 1244 of the act, amended May 9, 1961
11 (P.L.197, No.98), is repealed:

12 [Section 1244. Certificate of Cause of Death.--The coroner
13 shall issue a certificate of cause of death in all cases
14 referred to him by the local registrar of vital statistics,
15 pursuant to the provisions of the act, approved June twenty-
16 nine, one thousand nine hundred fifty-three (Pamphlet Laws 304),
17 known as the "Vital Statistics Law of 1953," and in all other
18 cases of which he has jurisdiction, if no person duly authorized
19 by the said act certifies the cause of death.]

20 Section 12. Sections 1245 and 1245.1 of the act, amended or
21 added November 29, 1990 (P.L.602, No.152), are repealed:

22 [Section 1245. Power of Subpoena and Attachment.--The
23 coroner shall have power to issue subpoenas to obtain the
24 attendance of any person whom it may be necessary to examine as
25 a witness at any inquest, and to compel attendance by attachment
26 in like manner and to the same extent as any court of common
27 pleas of this Commonwealth may or can do in cases pending before
28 them, and also to compel in like manner the production of all
29 papers and other things relative to such inquest. Such subpoena
30 and attachment shall be served and executed by the sheriff or by

1 the coroner himself or his deputy, as the case may require.

2 Section 1245.1. Inquests; Juries.--(a) The coroner may at
3 his discretion summon a jury of six to be selected from the jury
4 panels of the court of common pleas.

5 (b) The function of such jury shall be to determine the
6 manner of death and whether any criminal act or neglect of
7 persons known or unknown caused such death. Such jury shall be
8 paid as provided by law as if they were serving the court of
9 common pleas.]

10 Section 13. Sections 1246, 1247 and 1248 of the act are
11 repealed:

12 [Section 1246. Power to Administer Oaths.--The coroner shall
13 have power to administer oaths and affirmations to all persons
14 brought or appearing before him, and any person swearing or
15 affirming falsely on such examination shall be guilty of
16 perjury.

17 Section 1247. Commitment to County Prison.--If any person
18 appearing before the coroner for examination shall refuse to
19 take oath or affirmation, or after having been sworn or affirmed
20 shall refuse to make answer to such questions as shall be put to
21 him by the coroner touching the matters of the inquest, such
22 persons so refusing may be committed by the coroner to the
23 county jail by warrant, under his hand and seal, directed to the
24 sheriff or any constable of the county, setting forth
25 particularly the causes of such commitment, until he shall
26 submit to be sworn or affirmed or to make answers to such
27 questions or be otherwise legally discharged.

28 Section 1248. Inquests Not Public.--The coroner may, in his
29 discretion, admit or exclude members of the public from any
30 inquest or part thereof, and admit or exclude any person

1 interested or suspected from such inquest or any part thereof,
2 but this provision shall not apply to representatives of the
3 press. No person excluded may appear by attorney, but any person
4 required to attend may have benefit of counsel at such
5 attendance.]

6 Section 14. Section 1249 of the act, amended May 3, 1968
7 (P.L.115, No.59), is repealed:

8 [Section 1249. Chief Deputy Sheriff to Act as Sheriff in
9 Case of Vacancy.--If any sheriff shall be legally removed from
10 his office or shall die or resign before expiration of the term
11 for which he was commissioned, the chief deputy sheriff shall
12 execute the office of sheriff and perform all things thereunto
13 appertaining, and receive and retain for his own use the
14 compensation provided by law for sheriffs, until another sheriff
15 is commissioned and notice thereof is given to such chief deputy
16 sheriff.]

17 Section 15. Sections 1250 and 1251 of the act are repealed:

18 [Section 1250. Vacancies; No Fees upon Commissions.--If any
19 person elected to the office of coroner shall neglect or refuse,
20 for the space of two months next after such election, to assume
21 the duties of said office and to comply with the requirements of
22 the acts of Assembly in such cases, the office shall be vacant,
23 and it shall be the duty of the Governor, upon the notification
24 of the recorder of deeds, to appoint and commission some
25 suitable person to fill such vacancy during the remainder of the
26 term. No fees shall hereafter be charged on commissions issued
27 to the coroner.

28 Section 1251. Official Records of Coroner.--Every coroner,
29 within thirty (30) days after the end of each year, shall
30 deposit all of his official records and papers for the preceding

1 year in the office of the prothonotary for the inspection of all
2 persons interested therein.]

3 Section 16. Section 1252 of the act, added December 6, 1972
4 (P.L.1421, No.309), is repealed:

5 [Section 1252. Solicitor to Coroner.--The coroner may
6 appoint one person learned in the law, as his solicitor. Said
7 solicitor shall advise the coroner upon all legal matters that
8 may be submitted to him and shall conduct any litigation in
9 connection with the coroner's office when requested so to do by
10 the coroner.]

11 Section 17. Section 1253 of the act, added November 29, 1990
12 (P.L.602, No.152), is repealed:

13 [Section 1253. Anatomical Gifts.--The coroner may order the
14 removal of parts of a decedent's body for donation purposes in
15 accordance with 20 Pa.C.S. Ch. 86 (relating to anatomical
16 gifts).]

17 Section 18. The heading of Subarticle (c) of Article XII and
18 section 1260 of the act are repealed:

19 [(c) Provisions Relating to Sheriffs and Coroners

20 Section 1260. Not to Exercise Office Until Commission
21 Granted and Recorded; Penalty.--No person elected or appointed
22 to the office of sheriff or coroner shall execute any of the
23 duties of such office before a commission shall have been duly
24 granted to him by the Governor and left for record, under a
25 penalty of imprisonment for a term not exceeding six months, at
26 the discretion of the court of quarter sessions. Such person
27 shall nevertheless be liable to any person injured by any acts
28 done by him under color of such office.]

29 Section 19. The act is amended by adding an article to read:

30 ARTICLE XII-A

1 CORONER

2 (a) Preliminary Provisions

3 Section 1201-A. Applicability.

4 Except as otherwise provided, this article shall apply to
5 counties of the second class, second class A and third through
6 eighth classes.

7 Section 1202-A. Definitions.

8 The following words and phrases when used in this article
9 shall have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Autopsy." The external and internal examination of the body
12 of a deceased person, including, but not limited to:

13 (1) gross visual inspection and dissection of the body
14 and its internal organs;

15 (2) photographic or narrative documentation of findings,
16 microscopic, radiological, toxicological, chemical, magnetic
17 resonance imaging or other laboratory analysis performed upon
18 tissues, organs, blood, other bodily fluids, gases or other
19 specimens; and

20 (3) the retention for diagnostic and documentary
21 purposes of tissues, organs, blood, or other bodily fluids,
22 gases, or any other specimens necessary to establish and
23 defend against challenges to the cause and manner of death of
24 the deceased person.

25 "Board." The Coroners' Education Board of the Commonwealth.

26 "Coroner." An elected or appointed coroner or an elected or
27 appointed medical examiner.

28 "Staff." Includes persons in the coroner's office who engage
29 in activities relating to death investigation. The term may
30 refer to a medical investigator, forensic technician, laboratory

1 director, forensic supervisor, forensic investigator, scientist
2 or autopsy or histology technician.

3 (b) General Provisions

4 Section 1211-A. Deputies.

5 The coroner may appoint one or more deputies to act in the
6 coroner's place and staff to positions established in accordance
7 with section 1623 as the coroner may deem proper and necessary.
8 A deputy shall have the same powers as the coroner.

9 Section 1212-A. Duties regarding county morgues.

10 (a) Coroner.--The coroner of a county in which a county
11 morgue is established shall:

12 (1) make general rules and regulations for the morgue's
13 operation and control; and

14 (2) appoint suitable persons for the morgue to have
15 charge of the same. The persons shall be removable at the
16 pleasure of the coroner.

17 (b) Salary board.--The salary board shall fix the number of
18 persons appointed under subsection (a) (2) and their salaries.

19 Section 1213-A. Removal of bodies to morgue.

20 (a) Unidentified or unclaimed body.--When the body of a
21 deceased person is unidentified or unclaimed by a proper person
22 and found within the county, it shall be removed to the county
23 morgue or, in a county of the third through eighth class, to a
24 facility serving in lieu of the county morgue. If deemed
25 necessary, the coroner shall cause the body to be properly
26 embalmed or prepared for preservation for the length of time as
27 the coroner may think proper to determine the deceased's
28 identity, the identity of a party responsible for the deceased
29 and the cause and manner of death. The body shall be examined or
30 inspected only by a person as the coroner authorizes or who is

1 admitted in the coroner's presence.

2 (b) Removal from morgue.--A body may not be removed from a
3 morgue except upon the authorization of the coroner.

4 Section 1214-A. Coroners' vehicles.

5 In each county, the county commissioners shall, at the
6 request of the coroner, furnish and maintain from the general
7 funds of the county, an ambulance and/or vehicles for use by the
8 coroner in the performance of official duties. The duties shall
9 include administration, investigative or educational purposes or
10 the removal of bodies of deceased persons to and from the morgue
11 and the burial of unclaimed bodies. The coroner may provide
12 rules and regulations for the use and maintenance of the
13 ambulance and/or vehicles.

14 Section 1215-A. Unclaimed property of deceased and sales.

15 (a) Duty to keep.--The coroner shall safely keep in the
16 coroner's charge:

17 (1) the personal effects and property that appear to
18 have been on or about the person at the time of death or
19 being found on a decedent whose body is received at the
20 county morgue or at any other facility serving in lieu of the
21 county morgue; and

22 (2) the effects and property that are delivered to the
23 coroner according to law.

24 (b) Required holding period.--The coroner shall hold the
25 property for one year unless sooner claimed by legal
26 representatives of the deceased or otherwise duly and lawfully
27 disposed of or claimed.

28 (c) Cost of disposition.--Upon the claim by legal
29 representatives of the deceased, if the disposition of the
30 deceased has been at county expense, the amount to recover the

1 cost of disposition shall be retained for the county with the
2 balance, if any, going to the legal representatives.

3 (d) Costs of securing.--In cases where the coroner secures
4 the premises of the deceased, the costs of securing may be
5 charged against the estate of the deceased.

6 (e) Civil liability.--A coroner who secures or safeguards
7 the property and its contents is immune from civil liability for
8 damage to or loss of the property or its contents.

9 (f) Property unclaimed after one year.--After one year, the
10 coroner shall cause the property remaining unclaimed or so much
11 as remains undisposed of according to law, except money and the
12 properties as securities that may not be subject to such a sale,
13 to be turned over to the commissioners for proper disposition or
14 use, to be sold at public sale.

15 (g) Notice.--Notice of the public sale shall be published in
16 at least one newspaper of general circulation in the county once
17 a week for three successive weeks. The proceeds of the sales
18 shall be paid immediately into the county treasury. The
19 foregoing provisions are in lieu of escheating to the
20 Commonwealth.

21 Section 1216-A. Private morgue may be used.

22 In a county of the third through eighth class where a county
23 morgue is not maintained, the coroner may cause a body that the
24 coroner is authorized to admit to a county morgue to be removed
25 to a private facility of the coroner's choosing. For the use of
26 the facility, the owner shall be paid a sum to be established by
27 the county by agreement with the owner.

28 Section 1217-A. Requests for examinations and reports.

29 (a) Requests for examinations.--A request for an examination
30 or other professional service by another county or person may be

1 complied with at the discretion of the coroner under guidelines
2 established by the county commissioners.

3 (b) Fees and charges for examinations or professional
4 services.--A set of fees and charges for the examinations or
5 professional services shall be established by the coroner,
6 subject to approval by the county commissioners, and shall be
7 accounted for and paid to the county treasurer under section
8 1760. Payment for examinations or professional services shall be
9 the responsibility of the county or person requesting such
10 services.

11 (c) Other fees.--The coroner shall charge and collect a fee
12 of \$500 for an autopsy report, \$100 for a toxicology report,
13 \$100 for an inquisition or coroner's report, \$50 for a cremation
14 or disposition authorization and other fees as may be
15 established from time to time for other reports or documents
16 requested by nongovernmental agencies in order to investigate a
17 claim asserted under a policy of insurance or to determine
18 liability for the death of the deceased. A record produced by
19 the coroner in response to the request may not be publicly
20 released except in response to a civil or criminal subpoena, a
21 discovery request, a legally enforceable order from a court, a
22 request from law enforcement or the Commonwealth and its
23 agencies or other governmental agency. The fees collected under
24 this subsection shall be accounted for and paid to the county
25 treasurer under section 1760 and shall be used to defray the
26 expenses involved in the county complying with Subarticle (c).

27 (d) Record disclosure.--This section shall not be construed
28 as authorizing disclosure of a record exempt from public access
29 in accordance with the act of February 14, 2008 (P.L.6, No.3),
30 known as the Right-to-Know Law, or section 1236-A.

1 Section 1218-A. Cremation or disposition authorization.

2 (a) Duty of funeral director.--A funeral director shall
3 obtain a verifiable written authorization from the coroner prior
4 to cremating or disposing or providing for the cremation or
5 disposition of a dead body that is subject to the coroner's
6 jurisdiction as provided in section 1219-A.

7 (b) Contents of authorization.--The request for written
8 authorization shall contain the following information supplied
9 by the funeral director seeking authorization:

10 (1) the name, address, race, sex, age and date of birth
11 of the deceased;

12 (2) the cause and manner of death;

13 (3) whether an autopsy was performed;

14 (4) the individual who certified the death;

15 (5) the name of funeral home; and

16 (6) the name of the person authorizing cremation or
17 disposition and the person's relationship, if any, to the
18 deceased.

19 (c) Failure to secure authorization.--A person who willfully
20 fails to secure authorization for cremation or disposition
21 commits a misdemeanor and shall, upon conviction, be sentenced
22 to pay a fine of not less than \$200 for each authorization not
23 obtained. Failure to obtain authorization may result in a report
24 to a board, commission or department of the Commonwealth
25 authorized to license, certify, register or permit the practice
26 of an occupation or profession for appropriate disciplinary
27 action.

28 Section 1219-A. Coroner's investigation.

29 (a) Duty to investigate.--The coroner having a view of the
30 body shall investigate the facts and circumstances concerning a

1 death that appears to have happened within the county,
2 regardless where the cause of the death may have occurred, for
3 the purpose of determining whether or not an autopsy or inquest
4 should be conducted in the following cases:

5 (1) a sudden death not caused by readily recognizable
6 disease, or where the cause of death cannot be properly
7 certified by a physician on the basis of prior recent medical
8 attendance;

9 (2) a death occurring under suspicious circumstances,
10 including those where alcohol, drugs or other toxic
11 substances may have had a direct bearing on the outcome;

12 (3) a death occurring as a result of violence or trauma,
13 whether apparently homicidal, suicidal or accidental,
14 including, but not limited to, a death due to mechanical,
15 thermal, chemical, electrical or radiational injury,
16 drowning, cave-in or subsidence;

17 (4) a death in which trauma, chemical injury, drug
18 overdose or reaction to drugs or medication or medical
19 treatment was a primary or secondary, direct or indirect,
20 contributory, aggravating or precipitating cause of death;

21 (5) an operative and peri-operative death in which the
22 death is not readily explainable on the basis of prior
23 disease;

24 (6) a death where the body is unidentified or unclaimed;

25 (7) a death known or suspected as due to contagious
26 disease and constituting a public hazard;

27 (8) a death occurring in prison or a penal institution
28 or while in the custody of the police;

29 (9) a death of a person whose body is to be cremated,
30 buried at sea or otherwise disposed of so as to be

1 unavailable for examination thereafter;

2 (10) a sudden and unexplained infant death; and

3 (11) a stillbirth.

4 (b) Purpose.--The purpose of the investigation is to
5 determine:

6 (1) the cause and manner of the death; and

7 (2) whether or not there is sufficient reason for the
8 coroner to believe that the death may have resulted from a
9 criminal act or criminal neglect of a person other than the
10 deceased.

11 (c) Requirements.--As part of the investigation, the coroner
12 shall determine the identity of the deceased and notify the next
13 of kin of the deceased.

14 Section 1220-A. Drugs.

15 When the coroner collects a drug at the scene of an
16 investigation, there shall be a record of a prescription or
17 illegal drug of the decedent. When the drug is no longer needed
18 for an investigative or scientific purpose, the coroner shall
19 properly dispose of the drug in accordance with standard
20 operating procedures.

21 Section 1221-A. Autopsy, inquest and records.

22 (a) Autopsy.--If after investigation the coroner is unable
23 to determine the cause and manner of death, the coroner shall
24 perform or order an autopsy on the body.

25 (b) Inquest.--If the coroner is unable to determine the
26 cause and manner of death following the autopsy, the coroner may
27 conduct an inquest upon a view of the body, as provided by law.
28 At the inquest, the coroner's duty shall be as follows:

29 (1) To ascertain the cause of death.

30 (2) To determine whether any person other than the

1 deceased was criminally responsible by act or neglect and the
2 identity of the person or persons who may be responsible.

3 (3) To examine any further evidence and witnesses
4 regarding the cause of death.

5 (c) Recording.--The proceedings at the inquest shall be
6 recorded, at the expense of the county, in a manner to be
7 provided by the county commissioners.

8 (d) Retention and disposal.--

9 (1) The coroner may retain a deoxyribonucleic acid (DNA)
10 specimen for diagnostic, evidentiary or confirmatory
11 purposes.

12 (2) Retained tissue, organ, blood, other bodily fluid,
13 gas or another specimen from an autopsy are medical waste and
14 shall be disposed of in accordance with applicable Federal
15 and State laws.

16 (e) Liability.--A coroner who in good faith orders or
17 performs a medical examination or autopsy under statutory
18 authority is immune from civil liability for damages for
19 ordering or performing the examination or autopsy.

20 Section 1222-A. Certain child deaths.

21 (a) General rule.--A coroner shall perform or order an
22 autopsy to be conducted in the case of the sudden unexplained
23 death of a child who is three years of age or less. In
24 circumstances where an autopsy is required, the autopsy shall be
25 conducted in the manner the coroner determines is the least
26 invasive manner appropriate.

27 (b) Investigation.--

28 (1) In the case of the death of a child who is three
29 years of age or less and the coroner determines that an
30 investigation is appropriate, the investigation shall include

1 the following information:

2 (i) Demographic information on the child and the
3 child's primary caregivers.

4 (ii) Witness interview.

5 (iii) Infant medical history.

6 (iv) Biological mother's prenatal history.

7 (v) Incident scene investigation.

8 (vi) Scene and body diagrams.

9 (2) In doing the investigation, the coroner shall
10 consider nationally recognized standards for pediatric death
11 review.

12 (c) Deoxyribonucleic acid.--A DNA sample shall be collected
13 for the purpose of aiding in the research of the causes of
14 sudden and unexplained infant deaths and to provide genetic
15 information as to the manner of death.

16 Section 1223-A. Sudden death.

17 (a) General rule.--The coroner shall regard a death as
18 sudden if the death either:

19 (1) Occurs without prior medical attendance by a person
20 who may lawfully execute a certificate of death in this
21 Commonwealth.

22 (2) Within 24 hours of death the decedent:

23 (i) was discharged from medical attendance;

24 (ii) had a change of the medical attendance occur;

25 or

26 (iii) had medical attendance within 24 hours of
27 death and the medical attendant refuses or is unable to
28 certify the cause of death.

29 (b) Construction.--The section shall not be construed to
30 affect the coroner's discretion as to whether or not a death was

1 suspicious or to authorize a coroner to investigate a sudden
2 death any further than necessary to determine the cause and
3 manner of death.

4 (c) Definition.--As used in this section the phrase "medical
5 attendance" shall include hospitalization, nursing home and
6 hospice care.

7 Section 1224-A. Bodies not to be moved.

8 (a) General rule.--In a case where the coroner has
9 jurisdiction to investigate the facts and circumstances of
10 death, the body and the surroundings of the body shall be left
11 untouched until either:

12 (1) The coroner has conducted an initial investigation
13 of the scene of death, including viewing and photographing
14 the scene in the manner that most fully discloses how the
15 person died.

16 (2) Until the coroner shall otherwise direct or
17 authorize, except as may be otherwise provided by law, or as
18 circumstances may require.

19 (b) Exception.--Bodies on a public thoroughfare or other
20 place may be moved if necessary for the administration of
21 emergency care and as a precaution against a traffic accident or
22 another serious consequence which might reasonably be
23 anticipated if the body was left in place. The removal of the
24 body shall be done so as to not substantially destroy or alter
25 the evidence.

26 Section 1225-A. Release of coroner's jurisdiction.

27 If the coroner assumes jurisdiction of a body pursuant to the
28 provisions of this article or of another law, the body shall not
29 be released or removed from the coroner's jurisdiction except
30 upon the coroner's directions and consent, in accordance with

1 law.

2 Section 1226-A. Cooperation with district attorney.

3 In the exercise of duties as contained in this article, the
4 coroner shall consult and advise with the district attorney, so
5 far as may be practicable. The district attorney may act as
6 counsel to the coroner in matters relating to inquests.

7 Section 1227-A. Cooperation with other counties.

8 When one or more coroners deem it necessary to establish a
9 facility for conducting forensic testing and autopsies, a county
10 or counties may establish and operate the facility.

11 Section 1228-A. Certificate of cause of death.

12 The coroner shall issue a certificate of cause of death in
13 each case referred to the coroner by the local registrar of
14 vital statistics, under the act of June 29, 1953 (P.L.304,
15 No.66), known as the Vital Statistics Law of 1953. The coroner
16 shall also issue a certificate of cause of death in each case in
17 which the coroner has jurisdiction and no person duly authorized
18 by law certifies the cause of death.

19 Section 1229-A. Power of subpoena and attachment.

20 The coroner shall have power to issue subpoenas and
21 attachments, which shall be served and executed by the sheriff,
22 coroner or coroner's deputy, for the following purposes:

23 (1) A death investigation.

24 (2) To obtain the attendance of a person whom it may be
25 necessary to examine as a witness at any inquest.

26 (3) To compel attendance by attachment in like manner
27 and extent as a court of common pleas of this Commonwealth
28 can do in cases pending before the court.

29 (4) To compel the production of any of the following:

30 (i) Papers.

1 (ii) Documents in any form or media, including
2 medical and mental health records.

3 (iii) Other things relative to the investigation or
4 inquest.

5 Section 1230-A. Inquests and juries.

6 (a) Jury.--The coroner may summon a jury of six and two
7 alternates to be selected from the jury panels of the court of
8 common pleas.

9 (b) Function.--The function of the jury shall be to
10 determine the manner of death and whether a criminal act or
11 neglect of a person or persons known or unknown caused the
12 death. The jury shall be paid as provided by law as if the jury
13 members were serving the court of common pleas.

14 Section 1231-A. Power to administer oaths.

15 The coroner shall have the power to administer oaths and
16 affirmations to a person brought or appearing before the
17 coroner. A person swearing or affirming falsely on the
18 examination shall be guilty of perjury.

19 Section 1232-A. Commitment to county prison.

20 A person may be held for contempt before the court of common
21 pleas if the person does either of the following while appearing
22 before the coroner for examination:

23 (1) Refuses to take an oath or affirmation.

24 (2) Refuses to answer a question as asked by the coroner
25 on the matters of the inquest after having been sworn.

26 Section 1233-A. Inquests not public.

27 (1) In counties of third through eighth classes, the
28 coroner may:

29 (i) Admit or exclude members of the public from an
30 inquest or a part of an inquest.

1 (ii) Admit or exclude a person interested or
2 suspected from the inquest or a part of an inquest.

3 (2) This provision shall not apply to representatives of
4 the press.

5 (3) No person excluded may appear by attorney.

6 (4) A person required to attend may have counsel at the
7 attendance.

8 Section 1234-A. Chief deputy coroner to act as coroner in case
9 of vacancy.

10 If a coroner is legally removed from office, dies or resigns
11 before the expiration of the term for which the coroner was
12 elected or appointed, the chief deputy coroner shall execute the
13 office of coroner, perform all related duties and receive and
14 retain the compensation provided by law for coroner, until
15 another coroner is duly appointed.

16 Section 1235-A. Vacancies and no fees upon commissions.

17 (a) Vacancies.--Except as otherwise provided in subsection
18 (c), if a person who is elected to the office of coroner
19 neglects or refuses for the two months after the election to
20 assume the duties of the office and to comply with the
21 requirements of the law, the office shall be deemed vacant. The
22 Governor shall notify the recorder of deeds and appoint and
23 commission a suitable person to fill the vacancy during the
24 remainder of the term.

25 (b) Fees.--No fees shall be charged on commissions issued to
26 the coroner.

27 (c) Medical examiner.--In counties of the second class and
28 second class A, the appointee to the office of medical examiner
29 shall serve and the term of office shall be as provided by
30 county ordinance.

1 Section 1236-A. Records of coroner.

2 (a) Maintenance.--All records shall be maintained in the
3 office of the coroner. If no office is maintained, then a public
4 record providing the name of the deceased, the date of death,
5 and the cause and manner of death shall be deposited in the
6 office of prothonotary for the inspection of a person with an
7 interest.

8 (b) Limitation on public records.--No records, made by or
9 caused to be taken or made by the coroner, indicating any of the
10 following in a personally identifiable manner may be considered
11 a public record:

12 (1) An individual's medical, psychiatric history,
13 psychological history or disability status. This shall
14 include an evaluation, consultation, prescription, diagnosis
15 or treatment.

16 (2) Results of tests, including drug tests, or relating
17 to a criminal investigation.

18 (3) An autopsy record, a digital image of a postmortem
19 examination or autopsy, a copy, reproduction or facsimile of
20 an autopsy report or a photograph, negative or print. This
21 shall include a photograph or videotape of the body or a
22 portion of the body of a deceased person at the scene of
23 death or in the course of a postmortem examination or
24 autopsy.

25 (c) Invasion of privacy.--A person seeking access to a
26 record which is or may contain medical, psychiatric,
27 psychological or investigatory matter, the disclosure of which
28 would constitute an invasion of personal privacy either to the
29 reputation of the deceased or to the physical and mental well-
30 being of any next of kin, shall do the following:

1 (1) Notify all next of kin of the request.

2 (2) Provide clear and convincing proof of a general need
3 which overrides the privacy or is not prohibited by any
4 applicable Federal or State law or regulation.

5 (d) Use of data.--Nothing shall prohibit the coroner from
6 using information or photographs for purposes of official
7 duties, training and education, as long as all personally
8 identifiable information has been removed.

9 (e) Data to Commonwealth.--Nothing shall prohibit the
10 coroner from providing information to the Commonwealth as
11 required by other laws, provided the information will not be
12 publicly reported in a personally identifiable manner.

13 Section 1237-A. Certain reproduction of images of deceased
14 prohibited.

15 (a) Images.--A first responder who is dispatched to or is
16 otherwise present at the scene of a motor vehicle accident or
17 other emergency situation, for the purpose of providing medical
18 care or other assistance, may not photograph, film, videotape,
19 record or otherwise reproduce in any manner, the image of an
20 individual who is deceased or is being provided medical care or
21 other assistance, except in accordance with applicable rules,
22 regulations or operating procedures of the agency employing the
23 first responder.

24 (b) Disclosure.--A first responder may not disclose any
25 photograph, film, videotape, record, or other reproduction of
26 the image of an individual, living or deceased, being removed
27 from or being provided medical care or other assistance at the
28 scene of a motor vehicle accident or other emergency situation
29 without the prior written consent of the individual, or the
30 individual's next-of-kin if the individual cannot provide

1 consent, unless that disclosure was for a legitimate law
2 enforcement, public safety, health care or insurance purpose or
3 pursuant to a court order.

4 (c) Criminal liability.--An individual who knowingly
5 violates the the provisions of subsection (b) commits a
6 misdemeanor and shall, upon conviction, pay a fine of not less
7 than \$200. Each photograph, film, digital image, videotape,
8 record or other reproduction shall constitute a separate
9 offense.

10 (d) Civil liability.--In addition to any other right of
11 action or recovery otherwise available under the laws of this
12 Commonwealth, a first responder who knowingly violates the
13 provisions of subsection (a) or (b) shall be liable to the
14 individual or the individual's next-of-kin whose image was taken
15 or disclosed, who may bring a civil action.

16 (e) Damages.--The court may award damages for civil
17 liability under subsection (d) as follows:

18 (1) Actual damages, but not less than liquidated damages
19 computed at the rate of \$1,000 for each violation of this
20 article.

21 (2) Punitive damages upon proof of willful or reckless
22 disregard of the law.

23 (3) Reasonable attorney fees and other litigation costs
24 reasonably incurred.

25 (4) Other preliminary and equitable relief as the court
26 determines to be appropriate.

27 (f) Definitions.--As used in this section, the following
28 words and phrases when used in this section shall have the
29 meanings given to them in this subsection:

30 "Disclose." To sell, manufacture, give, provide, lend,

1 trade, mail, deliver, transfer, publish, distribute, circulate,
2 disseminate, present, exhibit, advertise or offer.

3 "First responder." Any of the following:

4 (1) A law enforcement officer.

5 (2) Paid or volunteer firefighter.

6 (3) Paid or volunteer member of a duly incorporated
7 first aid, emergency, ambulance or rescue squad association.

8 (4) Any other individual who, in the course of the
9 individual's employment, is dispatched to the scene of a
10 motor vehicle accident or other emergency situation for the
11 purpose of providing medical care, removal of a deceased
12 individual or other assistance.

13 Section 1238-A. Solicitor to coroner.

14 (a) Solicitor.--The coroner may appoint an individual who
15 shall be an attorney-at-law admitted to practice in the courts
16 of this Commonwealth, as solicitor. The solicitor shall advise
17 the coroner upon all legal matters that may be submitted to the
18 coroner and shall conduct any litigation in connection with the
19 coroner's office when requested to do so by the coroner.

20 (b) Salary and costs.--In counties of the second class, the
21 following shall apply:

22 (1) The salary of the solicitor shall be determined by
23 the salary board. The salary shall be paid out of the fees
24 received and paid into the office of the coroner.

25 (2) All costs and expenses incurred by the coroner in
26 any manner connected with litigation or claims arising out of
27 or relating to the coroner's office, shall be paid by the
28 county out of fees received by the coroner's office.

29 Section 1239-A. Anatomical gifts.

30 The coroner may order the removal of parts of a decedent's

1 body for donation purposes in accordance with 20 Pa.C.S. Ch. 86
2 (relating to anatomical gifts).

3 Section 1240-A. Not to exercise office until commission granted
4 and recorded and penalty.

5 An individual elected or appointed to the office of coroner
6 may not execute any of the duties of office before a commission
7 shall have been duly granted to the coroner by the Governor and
8 properly recorded. An individual who violates this section may
9 be sentenced to imprisonment for a term not exceeding six
10 months. The individual shall be liable to any person injured by
11 any acts done by the individual under color of the office.

12 (c) Coroners' Education Board

13 Section 1251-A. Coroners' Education Board.

14 (a) Members.--There is established the Coroners' Education
15 Board in the Office of Attorney General. The board shall consist
16 of the following members:

17 (1) The Commissioner of the Pennsylvania State Police or
18 the commissioner's designee.

19 (2) The Attorney General or the Attorney General's
20 designee.

21 (3) The Secretary of Health or the secretary's designee.

22 (4) Three individuals appointed by the Governor with the
23 advice and consent of a majority of the members elected to
24 the Senate, one of whom shall be a forensic pathologist
25 licensed to practice in this Commonwealth and two of whom
26 shall be elected coroners, one a physician coroner and the
27 other a nonphysician coroner.

28 (b) Terms.--The terms of the members appointed by the
29 Governor under subsection (a) (4) shall be for four years.
30 Vacancies shall be filled for the unexpired term.

1 (c) Quorum.--The board shall elect a chairman, and a
2 majority of the members shall constitute a quorum.

3 (d) Expenses.--Members of the board may not receive a
4 salary, but the members appointed by the Governor shall be
5 entitled to actual expenses incurred in the performance of their
6 duties.

7 Section 1252-A. Coroners' course of instruction.

8 (a) Course of instruction.--The board shall approve a course
9 of instruction that shall be given to all coroners upon their
10 first election or appointment to office.

11 (b) Contents of course.--The course of instruction shall
12 consist of not less than 40 hours and shall be given between the
13 date of each municipal election and December 31 of that year.

14 (c) Location of course.--The board shall determine the time
15 and place of the course of instruction, but due consideration
16 shall be given to the facilities at the Pennsylvania State
17 Police Academy.

18 (d) Deputies.--In addition to the course of instruction for
19 elected or appointed coroners, the board shall approve a course
20 of instruction for chief deputy and deputy coroners, which shall
21 be of the duration and given at the time and place as the board
22 shall determine.

23 (e) Personnel.--All State departments, agencies, boards and
24 commissions shall cooperate in providing personnel, equipment
25 and support to the courses of instruction.

26 (f) Examination.--In addition to approving the courses of
27 instruction, which shall include such subjects as crime-scene
28 investigation, toxicology, forensic autopsies and the legal
29 duties of the office of the coroner, the board shall approve a
30 written examination for the coroners and the deputies, to be

1 given at the conclusion of each course of instruction.

2 (g) Tuition.--The board shall establish the tuition to be
3 charged for the courses of instruction, which shall be as nearly
4 equal to the cost of conducting the courses and the examination
5 as possible.

6 Section 1253-A. Elected and appointed coroners to take course
7 of instruction and pass examination.

8 (a) Successful examination.--After the effective date of
9 this article, an individual elected or appointed for the first
10 time to the office of coroner in this Commonwealth may not be
11 eligible to take the oath of office unless the individual has
12 attended the course of instruction and successfully passed the
13 certification examination given at the conclusion of the course
14 unless, for just cause, the board postpones his attendance and
15 examination. If the individual elected or appointed fails to
16 attend the course and pass the certification examination without
17 being excused, there shall be deemed to be a vacancy in the
18 office, and it shall be filled in accordance with the law.

19 (b) Successor coroners.--In the event of a vacancy in the
20 office of coroner, the individual appointed to fill the vacancy
21 shall attend the next course of instruction offered for deputies
22 and, at the conclusion of the course, successfully pass a
23 special certification examination offered by the board for
24 coroners appointed to fill vacancies. Upon the failure of the
25 appointee to take this course of instruction or to pass this
26 certification examination, a vacancy shall occur that shall be
27 filled in accordance with the law. In the event an individual
28 who is appointed to fill a vacancy has, before the appointment,
29 taken the course of instruction for elected and appointed
30 coroners and passed the certification examination or has taken

1 the course of instruction for deputies and has passed the
2 certification examination, except as otherwise provided under
3 this article, a course or certification examination shall not be
4 required.

5 Section 1254-A. Chief deputies and deputies to take course of
6 instruction.

7 After the effective date of this article, a vacancy shall be
8 deemed to exist in the office of a chief deputy or deputy
9 coroner six months after appointment unless the individual has
10 completed the course of instruction provided for in section
11 1252-A(d) or unless, for just cause, the board postpones the
12 individual's completion of the course. This section shall not
13 apply to those chief deputies or deputy coroners who are covered
14 by section 1253-A(a).

15 Section 1255-A. Continuing education.

16 (a) Credit hours.--The following apply:

17 (1) Each year, every coroner, chief deputy coroner,
18 deputy coroner or staff involved in death investigation
19 shall take continuing education of not less than 12 credit
20 hours. The board may, by regulation and after notice of the
21 continuing education requirement, increase the total number
22 of hours required.

23 (2) As part of a coroner's continuing education, every
24 coroner shall attain national medicolegal certification and
25 maintain the number of hours of continuing education required
26 for the national certification.

27 (3) A credit shall not be given for more than four hours
28 per year for continuing education given online.

29 (b) Contents.--The board shall determine which courses,
30 seminars, lectures and meetings qualify for credits under this

1 section and the number of credits to be given to each. The
2 instruction may be given in conjunction with the annual
3 convention of the Pennsylvania State Coroners Association. In
4 determining whether a specialty forensic course shall meet the
5 requirements of this article, the board shall consider whether
6 it is approved by another recognized training or educational
7 entity.

8 (c) Proof.--Upon submission of proof of attendance, the
9 board shall determine if the coroner, chief deputy coroner,
10 deputy coroner or staff involved in death investigation has
11 fulfilled the continuing educational requirement under this
12 section. If the board determines that the continuing educational
13 requirement has not been fulfilled, it shall notify:

14 (1) the Governor in the case of a coroner not fulfilling
15 the requirement; or

16 (2) the coroner in the case of a chief deputy, deputy
17 coroner or staff involved in death investigation not
18 fulfilling the requirement.

19 After notice is provided under paragraph (1) or (2), a vacancy
20 shall be deemed to exist. Any coroner, chief deputy coroner,
21 deputy coroner or staff involved in death investigation
22 aggrieved by a decision of the board shall have the right to
23 appeal in accordance with 2 Pa.C.S. (relating to administrative
24 law and procedure).

25 Section 1256-A. Tuition and expenses to be paid by county.

26 The tuition for the continuing education requirement under
27 section 1255-A shall be paid by the county where the coroner,
28 chief deputy coroner, deputy coroner or staff involved in death
29 investigation was elected or the deputy appointed. In addition,
30 upon successful completion of the continuing education

1 requirement, the county shall reimburse each coroner, chief
2 deputy coroner, deputy coroner or staff involved in death
3 investigation for actual expenses incurred.

4 Section 20. Repeals are as follows:

5 (1) The General Assembly declares that the repeal under
6 paragraph (2) is necessary to effectuate the provisions of
7 this act.

8 (2) The act of March 2, 1988 (P.L.108, No.22), referred
9 to as the Coroners' Education Board Law, is repealed.

10 Section 21. This act shall take effect as follows:

11 (1) The additional national certification education
12 requirements in section 1255-A shall take effect in four
13 years.

14 (2) This section shall take effect immediately.

15 (3) The remainder of this act shall take effect in 60
16 days.