

SECOND REGULAR SESSION

SENATE BILL NO. 729

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4501S.02I

AN ACT

To repeal sections 58.280, 58.290, 58.410, 58.520, 58.530, and 58.540, RSMo, and to enact in lieu thereof six new sections relating to monies charged during a coroner's inquest, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 58.280, 58.290, 58.410, 58.520, 58.530, and 58.540, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 58.280, 58.290, 58.410, 58.520, 58.530, and 58.540, to read as follows:

58.280. Any sheriff failing to execute such warrant or to return the same shall forfeit and pay the sum of ~~[eight]~~ **five hundred** dollars.

58.290. Every person summoned as a juror, who shall fail to appear, or make a reasonable excuse to the coroner for his **or her** nonattendance, within five days after the time appointed within the warrant, shall forfeit and pay the sum of five **hundred** dollars, which fine shall be recoverable by civil action at the instance of the coroner, and in the name of the state, before any associate circuit judge, and be applied to the use of the county.

58.410. If any witness so attached shall show reasonable excuse for not appearing, as required by the subpoena, ~~[he]~~ **the witness** shall be discharged, either with or without the payment of the costs of the attachment, at the discretion of the coroner, but if ~~[he fail]~~ **the witness fails** to show any good and sufficient reason for not attending, ~~[he]~~ **the witness** shall be fined in such sum as the coroner shall think reasonable to impose, not exceeding ~~[ten]~~ **one thousand** dollars, and may be committed to the city or county jail until such fine and costs are paid, in like manner as persons may be committed for the nonpayment of fine and costs in criminal cases, and any fine so imposed and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

10 collected shall be paid into the school fund of the county or city in which the
 11 coroner holds his **or her** position.

58.520. Coroners shall be allowed fees for their services as follows;
 2 provided, that when persons come to their death at the same time or by the same
 3 casualty, fees shall only be paid as for one examination:

| | | | |
|----|---|----------|----------------|
| 4 | For the view of a dead body | [\$5.00] | \$50.00 |
| 5 | For issuing a warrant summoning each jury of inquest | [.75] | 75.00 |
| 6 | For swearing each jury | [.50] | 5.00 |
| 7 | For each subpoena for witnesses (all names to be put in | | |
| 8 | one subpoena if possible) | [.25] | 25.00 |
| 9 | For taking each recognizance (all names to be put in | | |
| 10 | one recognizance) | [.75] | 50.00 |
| 11 | For going from his residence to the place of viewing | | |
| 12 | a dead body and return, each mile | [.08] | .25 |

13 The above fees, together with the fees allowed jurors, constables and witnesses,
 14 in all inquests, shall be paid out of the county treasury as other demands. For
 15 performing the duties of sheriff, the coroners shall be entitled to the same fees as
 16 are for the time being allowed to sheriffs for the same services.

58.530. Whenever the coroner, [being himself] **who is also** a physician
 2 or surgeon, shall conduct a postmortem examination of the dead body of a person
 3 who came to his **or her** death by violence or casualty, and it shall appear to the
 4 county commission that such examination was necessary to ascertain the cause
 5 of such person's death, the county commission may allow the coroner therefor an
 6 additional fee, not exceeding [twenty-five] **five hundred** dollars, to be paid [as
 7 his] **in addition to** other fees in views and inquests; but section 58.560 shall not
 8 be construed to apply to any such examination when made by the coroner
 9 [himself] **him or herself**.

58.540. For taking down the testimony at an inquest, the coroner shall be
 2 allowed [ten cents] **one dollar** for every hundred words, and twenty-five cents
 3 for certifying the same.

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