

No. 1988-22

AN ACT

SB 275

Creating the Coroners' Education Board; requiring coroners and certain deputies to take a course of instruction and an examination; and requiring continuing education.

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

Section 1. Coroners' Education Board.

(a) **Members.**—There is hereby created, in the Office of Attorney General, a board to be known as the Coroners' Education Board, which shall consist of the Commissioner of the Pennsylvania State Police or his designee; the Attorney General or his designee; the Secretary of Health or his designee; and three persons, appointed by the Governor with the advice and consent of a majority of the members elected to the Senate, one of whom shall be a forensic pathologist licensed to practice in this Commonwealth and two of whom shall be elected coroners, one a physician coroner and the other a non-physician coroner.

(b) **Terms.**—The terms of those members appointed by the Governor shall be for four years. Vacancies shall be filled for the unexpired term.

(c) **Quorum.**—The board shall elect a chairman, and a majority of the members shall constitute a quorum.

(d) **Expenses.**—No member of the board shall receive a salary, but those appointed by the Governor shall be entitled to actual expenses incurred in the performance of their duties.

Section 2. Coroners' course of instruction.

(a) **Course of instruction.**—The board shall establish a course of instruction which shall be given to all coroners upon their first election to office after the effective date of this act.

(b) **Contents of course.**—The course of instruction shall consist of not less than 32 hours and shall be given between the date of each municipal election and December 31 of that year.

(c) **Location of course.**—The board shall determine the time and place or places of the course of instruction, but due consideration shall be given to the facilities at the State Police Academy.

(d) **Deputies.**—In addition to the course of instruction for elected coroners, the board shall establish a course of instruction for chief deputy and full-time deputy coroners, which shall be of such duration and given at such times and places as the board shall determine. The board shall determine whether elected coroners, chief deputy coroners and full-time deputy coroners who are licensed and certified as physicians in this Commonwealth shall be required to complete the course of instruction provided in section 3.

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

(f) **Examination.**—In addition to preparing the courses of instruction, which shall include such subjects as crime-scene investigation, toxicology, forensic autopsies and the legal duties of the office of the coroner, the board shall prepare a written examination for the coroners and the deputies, to be given at the conclusion of each course of instruction.

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

Section 3. Elected coroners to take course of instruction and pass examination.

(a) **Successful examination.**—After the effective date of this act, no person elected for the first time to the office of coroner in this Commonwealth shall be eligible to take the oath of office unless he has attended the course of instruction and successfully passed the examination given at the conclusion thereof unless, for just cause, the board postpones his attendance and examination. In the event the person so elected fails in either of these respects without being excused, there shall be deemed to be a vacancy in the office, and it shall be filled in accordance with law. No person having served as coroner in Pennsylvania prior to the effective date of this act shall be required to attend instructions or pass this examination if reelected or appointed subsequent to the effective date of this act. This provision shall also apply to chief deputies and full-time deputies who have been appointed prior to the effective date of this act.

(b) **Successor coroners.**—In the event of a vacancy in the office of coroner, either by death, resignation or failure to comply with the provisions of this section, the person appointed to fill the vacancy shall attend the next course of instruction offered for deputies and, at the conclusion thereof, successfully pass a special examination offered by the board for coroners appointed to fill vacancies. Upon the failure of the appointee to take this course of instruction or to pass this examination, a vacancy shall occur which shall be filled in accordance with law. In the event a person who is appointed to fill a vacancy has, prior to the appointment, taken the course of instruction for elected coroners and passed the examination or has taken the course of instruction for deputies and has passed the special examination, except as hereinafter provided, no course or examination shall be required.

Section 4. Chief deputies and full-time deputies to take course of instruction.

After the effective date of this act, a vacancy shall be deemed to exist in the office of a chief deputy or a full-time deputy coroner six months after appointment unless such person has completed the course of instruction provided for in section 2(d) or unless, for just cause, the board postpones his completion of the course. This section shall not apply to those chief deputies or full-time deputy coroners who are covered by section 3(a).

Section 5. Continuing education.

(a) **Credit hours.**—Each year, every coroner, chief deputy coroner and full-time deputy coroner shall take continuing education of not less than eight credit hours.

(b) **Contents.**—The board shall determine what courses, seminars, lectures and meetings qualify for credit and the number of credits to be given to each. Such instruction may be given in conjunction with the annual convention of the Coroners Association of the Commonwealth of Pennsylvania.

(c) **Proof.**—Upon submission of proof of attendance, the board shall determine if the coroner or deputy has fulfilled the continuing educational requirements. If the board determines that the continuing educational requirements have not been fulfilled, it shall notify the Governor in the case of a coroner and the coroner in the case of a deputy, at which time a vacancy shall be deemed to exist. Any coroner or deputy aggrieved by a decision of the board shall have the right to appeal in accordance with the provisions of Title 2 of the Pennsylvania Consolidated Statutes (relating to administrative law and procedure).

Section 6. Tuition and expenses to be paid by county.

The tuition established by the board shall be paid by the county from which the coroner was elected or the deputy appointed. In addition, upon successful completion of the instruction in sections 3 and 4, the county shall reimburse each coroner, chief deputy coroner and full-time deputy coroner for actual expenses incurred.

Section 7. Effective date.

This act shall take effect in 90 days.

APPROVED—The 2nd day of March, A. D. 1988.

ROBERT P. CASEY