

HOUSE BILL NO. 99

INTRODUCED BY F. GARNER

BY REQUEST OF THE PUBLIC SAFETY OFFICER STANDARDS AND TRAINING COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE EDUCATION REQUIREMENT FOR COUNTY CORONERS AND DEPUTY CORONERS; AND AMENDING SECTIONS 7-4-2901, 7-4-2904, AND 7-4-2905, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-4-2901, MCA, is amended to read:

"7-4-2901. Appointment of deputy coroners. (1) The coroner, with approval of the county commissioners, may appoint one or more deputy coroners to assist the coroner or act in the coroner's absence.

(2) At the time of appointment, a deputy coroner or acting coroner must meet the qualifications required of a coroner as provided in 7-4-2904(1) and (2)(a). Within a reasonable time after appointment, ~~a the~~ deputy shall successfully complete the basic coroner course, as provided for in 7-4-2905(2)(a). ~~The~~ After successfully completing the basic coroner course, the deputy shall ~~must~~ also meet the requirements for ~~advanced~~ continuing education as provided in 7-4-2905(2)(b).

(3) A deputy coroner may be the coroner or qualified deputy coroner from another county."

Section 2. Section 7-4-2904, MCA, is amended to read:

"7-4-2904. Qualifications for office of county coroner. (1) In addition to the qualifications set forth in 7-4-2201, to be eligible for the office of coroner, at the time of election or appointment to office a person must be a high school graduate or holder of an equivalency of completion of secondary education as provided by the superintendent of public instruction under 20-7-131 or of an equivalency issued by another state ~~or jurisdiction~~.

(2) Each coroner, before entering the duties of office, shall:

(a) take and file with the county clerk the constitutional oath of office; and

(b) certify to the county clerk that:

(i) the individual has ~~satisfactorily~~ successfully completed the basic coroner course of study as provided ~~for~~ in 7-4-2905 or that the individual has completed the equivalent educational requirements as approved by the

~~attorney general~~ public safety officer standards and training council established in 2-15-2029; or

(ii) the individual intends to take the basic coroner course at the next offering of the course if the coroner has been appointed or was elected by other than a local government general election and, from the date of appointment or election and assumption of the duties as coroner, a basic coroner course was not offered. A coroner forfeits office for failure to take and ~~satisfactorily~~ successfully complete the next offering of the basic coroner course."

Section 3. Section 7-4-2905, MCA, is amended to read:

"7-4-2905. Coroner education and continuing education. (1) Coroner education must be ~~conducted~~ approved by the Montana public safety officer standards and training council established in 2-15-2029. The council may adopt rules establishing standards and procedures for basic and advanced education. The cost of conducting the education must be borne by the department of justice from money appropriated for the education. The county shall pay the salary, mileage, and per diem of each coroner-elect, coroner, and deputy coroner attending from that county.

(2) (a) The council shall ~~conduct~~ approve a 40-hour basic coroner course of study after each general election. The course, or an equivalent course approved by the council, must be completed before the first Monday in January following the election. The council may ~~conduct~~ approve other basic coroner courses at times it considers appropriate.

(b) The council shall ~~annually conduct~~ approve a 16-hour ~~advanced continuing~~ coroner education course. Unless there are exigent circumstances, failure of any coroner or deputy coroner to satisfactorily complete the ~~advanced 16-hour continuing~~ coroner education course, or an equivalent course approved by the council, at least once every 2 years results in forfeiture of office. The council may adopt rules providing a procedure to extend the 2-year period because of exigent circumstances."

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