

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 11-0520.01 Troy Bratton

HOUSE BILL 11-1108

HOUSE SPONSORSHIP

Fields, Ryden, Barker, Beezley, Bradford, Brown, Casso, Coram, Court, Duran, Ferrandino, Gardner D., Hulinghorst, Kerr A., Labuda, Levy, McCann, Murray, Pabon, Schafer S., Solano, Todd, Williams A., Wilson

SENATE SPONSORSHIP

Carroll, Aguilar, Giron, Johnston

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COUNTY CORONER REVIEW**
102 **COMMISSION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)

The bill creates the county coroner review commission. The commission's duties are to study:

- ! The duties and responsibilities of coroners;
- ! Whether the office of the county coroner should be an elected position;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- ! Whether there should be additional qualifications for coroners;
- ! Whether there should be additional training for coroners;
- ! Whether a medical examiner system would be more beneficial than a coroner system;
- ! Whether coroners should be elected from judicial districts rather than from counties; and
- ! Whether another system would meet the needs of the people of Colorado.

The commission will meet as often as necessary and then submit a report to the local government committees of the general assembly on the first day of the regular session commencing in 2013.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Title 30, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 4**

5 **County Coroner**

6 **Review Commission**

7 **30-4-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
8 HEREBY FINDS AND DECLARES THAT:

9 (a) IT IS BENEFICIAL FROM TIME TO TIME FOR THE GENERAL
10 ASSEMBLY TO REVIEW THE QUALIFICATIONS OF COUNTY ELECTED
11 OFFICIALS TO ENSURE THAT SUCH QUALIFICATIONS REMAIN CONSISTENT
12 WITH THE DUTIES AND RESPONSIBILITIES OF A PARTICULAR OFFICE;

13 (b) THE QUALIFICATIONS AND OTHER ASPECTS FOR THE OFFICE OF
14 COUNTY CORONER SHOULD BE EXAMINED TO DETERMINE WHETHER THE
15 QUALIFICATIONS SHOULD BE AMENDED TO MORE CLOSELY REFLECT THE
16 DUTIES AND RESPONSIBILITIES OF THE OFFICE;

17 (c) THE COUNTY CORONER SYSTEM SHOULD BE EXAMINED TO
18 DETERMINE WHETHER IT SHOULD BE ALTERED TO BETTER SERVE THE
19 PEOPLE OF COLORADO; AND

1 (d) ACHIEVEMENT OF THE GOALS DESCRIBED IN THIS SUBSECTION
2 (1) REQUIRES THE ESTABLISHMENT OF AN INDEPENDENT COMMISSION THAT
3 IS EMPOWERED TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
4 ON THE PROPER QUALIFICATIONS OF A COUNTY CORONER AND ON THE
5 COUNTY CORONER SYSTEM.

6 **30-4-102. County coroner review commission - creation -**
7 **membership.** (1) THERE IS HEREBY CREATED A COMMISSION TO BE
8 KNOWN AS THE COUNTY CORONER REVIEW COMMISSION CONSISTING OF
9 THIRTEEN MEMBERS WHO SHALL BE APPOINTED AS FOLLOWS:

10 (a) ONE LEGISLATIVE MEMBER APPOINTED BY THE PRESIDENT OF
11 THE SENATE;

12 (b) ONE LEGISLATIVE MEMBER APPOINTED BY THE SPEAKER OF THE
13 HOUSE OF REPRESENTATIVES;

14 (c) ONE LEGISLATIVE MEMBER APPOINTED BY THE MINORITY
15 LEADER IN THE SENATE;

16 (d) ONE LEGISLATIVE MEMBER APPOINTED BY THE MINORITY
17 LEADER IN THE HOUSE OF REPRESENTATIVES; AND

18 (e) NINE MEMBERS APPOINTED JOINTLY BY THE PRESIDENT OF THE
19 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AS
20 FOLLOWS:

21 (I) TWO MEMBERS TO REPRESENT THE COLORADO CORONERS
22 ASSOCIATION, OR ITS SUCCESSOR;

23 (II) TWO MEMBERS TO REPRESENT COUNTY SHERIFFS OF
24 COLORADO, OR ITS SUCCESSOR;

25 (III) TWO MEMBERS TO REPRESENT THE COLORADO DISTRICT
26 ATTORNEYS' COUNCIL, OR ITS SUCCESSOR;

27 (IV) ONE MEMBER TO REPRESENT COLORADO COUNTIES, INC., OR

1 ITS SUCCESSOR;

2 (V) ONE MEMBER TO REPRESENT THE COLORADO MUNICIPAL
3 LEAGUE, OR ITS SUCCESSOR; AND

4 (VI) ONE MEMBER TO REPRESENT THE COLORADO HOSPITAL
5 ASSOCIATION, OR ITS SUCCESSOR.

6 (2) INITIAL APPOINTMENTS TO THE COMMISSION IN ACCORDANCE
7 WITH THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION SHALL BE
8 MADE NO LATER THAN SEPTEMBER 1, 2011.

9 **30-4-103. Commission chair - meetings.** (1) THE COMMISSION
10 SHALL CONVENE ITS FIRST MEETING NO LATER THAN SEPTEMBER 30, 2011,
11 AND AT ITS FIRST MEETING SHALL ELECT ONE MEMBER TO SERVE AS CHAIR.
12 THE COMMISSION SHALL PRESCRIBE ITS OWN RULES OF PROCEDURE.

13 (2) THE COMMISSION MAY MEET AS OFTEN AS NECESSARY TO
14 PERFORM ITS FUNCTIONS.

15 (3) COMMISSION MEMBERS SHALL SERVE WITHOUT COMPENSATION
16 AND SHALL NOT BE ENTITLED TO REIMBURSEMENT FOR EXPENSES, AND THE
17 LEGISLATIVE COUNCIL STAFF AND OFFICE OF LEGISLATIVE LEGAL SERVICES
18 SHALL NOT PROVIDE STAFF SUPPORT TO ASSIST IN THE ACTIVITIES OF THE
19 COMMISSION.

20 **30-4-104. Commission duties and responsibilities.** (1) THE
21 COMMISSION SHALL HAVE THE FOLLOWING DUTIES:

22 (a) TO STUDY THE DUTIES AND RESPONSIBILITIES OF COUNTY
23 CORONERS, INCLUDING, BUT NOT LIMITED TO, HOW THOSE DUTIES AND
24 RESPONSIBILITIES DIFFER BETWEEN LARGE AND SMALL OR RURAL AND
25 URBAN COUNTIES;

26 (b) TO DETERMINE WHETHER THE OFFICE OF COUNTY CORONER
27 SHOULD BE AN ELECTED POSITION;

1 (c) TO DETERMINE WHETHER THERE SHOULD BE ADDITIONAL
2 QUALIFICATIONS REQUIRED OF THOSE SEEKING THE OFFICE OF COUNTY
3 CORONER, INCLUDING, BUT NOT LIMITED TO, MEDICAL OR FORENSIC
4 PATHOLOGY QUALIFICATIONS;

5 (d) TO DETERMINE WHETHER ELECTED COUNTY CORONERS SHOULD
6 UNDERGO ADDITIONAL TRAINING PRIOR TO TAKING OFFICE;

7 (e) TO STUDY WHETHER A MEDICAL EXAMINER SYSTEM RATHER
8 THAN A CORONER SYSTEM WOULD BETTER SERVE THE NEEDS OF A
9 COUNTY;

10 (f) TO STUDY WHETHER CORONERS SHOULD BE ELECTED FROM
11 JUDICIAL DISTRICTS RATHER THAN FROM COUNTIES; AND

12 (g) TO STUDY ANY OTHER PART OF THE COUNTY CORONER SYSTEM
13 IN AN EFFORT TO IDENTIFY A SYSTEM THAT COMES CLOSEST TO MEETING
14 THE NEEDS AND EXPECTATIONS OF THE PEOPLE OF COLORADO.

15 (2) IN CARRYING OUT ITS DUTIES UNDER THIS ARTICLE, THE
16 COMMISSION MAY TAKE TESTIMONY AND GATHER INFORMATION AS THE
17 COMMISSION DEEMS APPROPRIATE.

18 (3) NO LATER THAN THE FIRST DAY OF CONVENING OF THE FIRST
19 REGULAR SESSION OF THE SIXTY-NINTH GENERAL ASSEMBLY, THE
20 COMMISSION SHALL SUBMIT TO THE LOCAL GOVERNMENT COMMITTEE IN
21 THE HOUSE OF REPRESENTATIVES AND THE LOCAL GOVERNMENT AND
22 ENERGY COMMITTEE IN THE SENATE, OR ANY SUCCESSOR COMMITTEES, A
23 REPORT THAT CONTAINS THE RECOMMENDATIONS OF THE COMMISSION AS
24 THEY RELATE TO THE COMMISSION'S DUTIES SPECIFIED IN SUBSECTION (1)
25 OF THIS SECTION. THE REPORT MAY CONTAIN ANY ADDITIONAL FACTS AND
26 INFORMATION THAT THE COMMISSION DEEMS RELEVANT TO ITS PURPOSE.

27 (4) THE GENERAL ASSEMBLY, IN CONSIDERING AND ENACTING ANY

1 LEGISLATION OR IN CONSIDERING AND REFERRING ANY QUESTIONS TO THE
2 PEOPLE OF COLORADO CONCERNING COUNTY CORONERS, SHALL GIVE
3 CONSIDERATION TO THE RECOMMENDATIONS CONTAINED IN THE REPORT
4 SUBMITTED BY THE COMMISSION.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 shall take effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part shall not take effect
12 unless approved by the people at the general election to be held in
13 November 2012 and shall take effect on the date of the official
14 declaration of the vote thereon by the governor.