

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 240**

**Representatives Huffman, Johnson, T.**

**Cosponsors: Representatives Hambley, Sweeney, Becker, Grossman, Blessing,  
Green, Sprague, Hill**

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**A BILL**

To amend sections 9.15, 313.01, 313.02, 313.04, 1  
313.05, 313.14, 313.161, and 325.15 and to 2  
repeal section 313.141 of the Revised Code to 3  
define the legal residence of a dead person for 4  
purposes of the body's disposal; to recognize 5  
that coroners include medical examiners; to 6  
change the qualifications for holding office as 7  
a coroner of a charter county; to require, under 8  
certain conditions, and to authorize, under 9  
other conditions, supplemental compensation for 10  
coroners who are forensic pathologists; to 11  
revise how the office of coroner is filled when 12  
a vacancy cannot be filled by election or 13  
appointment; to specify the disposition of a 14  
firearm when a person meets death under certain 15  
circumstances; to specify who pays for the 16  
autopsy of an inmate of a state correctional 17  
facility; and to make other changes to the 18  
coroners' law. 19

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

Section 1. That sections 9.15, 313.01, 313.02, 313.04, 20  
313.05, 313.14, 313.161, and 325.15 of the Revised Code be 21  
amended to read as follows: 22

Sec. 9.15. As used in this section, "legal residence" 23  
means a permanent place of abode used or occupied as living 24  
quarters at the time of a person's death, including a nursing 25  
home, hospital, or other care facility. 26

When the body of a dead person is found in a township or 27  
municipal corporation, and such person was not an inmate of a 28  
correctional, benevolent, or charitable institution of this 29  
state, and the body is not claimed by any person for private 30  
interment or cremation at the person's own expense, or delivered 31  
for the purpose of medical or surgical study or dissection in 32  
accordance with section 1713.34 of the Revised Code, it shall be 33  
disposed of as follows: 34

(A) If the person was a legal resident of the county, the 35  
proper officers of the township or municipal corporation in 36  
which the person's body was found shall cause it to be buried or 37  
cremated at the expense of the township or municipal corporation 38  
in which the person had a legal residence at the time of death. 39

(B) If the person had a legal residence in any other 40  
county of the state at the time of death, the superintendent of 41  
the county home of the county in which such body was found shall 42  
cause it to be buried or cremated at the expense of the township 43  
or municipal corporation in which the person had a legal 44  
residence at the time of death. 45

(C) If the person was an inmate of a correctional 46  
institution of the county or a patient or resident of a 47  
benevolent institution of the county, the person had no legal 48

residence in the state, or the person's legal residence is 49  
unknown, the superintendent shall cause the person to be buried 50  
or cremated at the expense of the county. 51

Such officials shall provide, at the grave of the person 52  
or, if the person's cremated remains are buried, at the grave of 53  
the person's cremated remains, a metal, stone, or concrete 54  
marker on which the person's name and age, if known, and date of 55  
death shall be inscribed. 56

A political subdivision is not relieved of its duty to 57  
bury or cremate a person at its expense under this section when 58  
the body is claimed by an indigent person. As used in this 59  
section, "indigent person" means a person whose income does not 60  
exceed one hundred fifty per cent of the federal poverty line, 61  
as revised annually by the United States department of health 62  
and human services in accordance with section 673(2) of the 63  
"Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 64  
U.S.C. 9902, as amended, for a family size equal to the size of 65  
the person's family. 66

**Sec. 313.01.** (A) A coroner shall be elected quadrennially 67  
in each county, who shall hold ~~his~~ office for a term of four 68  
years, beginning on the first Monday of January next after ~~his~~ 69  
election. 70

(B) As used in the Revised Code, unless the context 71  
otherwise requires, ~~"coroner"~~: 72

(1) "Coroner" means the coroner or medical examiner of the 73  
county in which death occurs or the dead human body is found. 74

(2) "Deputy coroner" means the deputy coroner or deputy 75  
medical examiner of the county in which death occurs or the dead 76  
human body is found. 77

**Sec. 313.02.** (A) ~~No (1) Except as provided in division (A)~~ 78  
~~(2) of this section, no person shall be eligible to the office~~ 79  
of coroner except a physician who has been licensed to practice 80  
as a physician in this state for a period of at least two years 81  
immediately preceding election or appointment as a coroner, and 82  
who is in good standing in the person's profession, ~~or is a~~ 83  
~~person who was serving as coroner on October 12, 1945.~~ 84

(2) No person shall be eligible to the office of coroner 85  
of a charter county except a physician who is licensed to 86  
practice as a physician in this state and who is in good 87  
standing in the person's profession. 88

(B) (1) Beginning in calendar year 2000 and in each fourth 89  
year thereafter, each newly elected coroner, after the general 90  
election but prior to commencing the term of office to which 91  
elected, shall attend and successfully complete sixteen hours of 92  
continuing education at programs sponsored by the Ohio state 93  
coroners association. Within ninety days after appointment to 94  
the office of coroner under section 305.02 of the Revised Code, 95  
the newly appointed coroner shall attend and successfully 96  
complete sixteen hours of continuing education at programs 97  
sponsored by the association. Hours of continuing education 98  
completed under the requirement described in division (B) (1) of 99  
this section shall not be counted toward fulfilling the 100  
continuing education requirement described in division (B) (2) of 101  
this section. 102

As used in division (B) (1) of this section, "newly elected 103  
coroner" means a person who did not hold the office of coroner 104  
on the date the person was elected coroner. 105

(2) Except as otherwise provided in division (B) (2) of 106  
this section, beginning in calendar year 2001, each coroner, 107

during the coroner's four-year term, shall attend and 108  
successfully complete thirty-two hours of continuing education 109  
at programs sponsored by the Ohio state coroners association. 110  
Except as otherwise provided in division (B) (2) of this section, 111  
each coroner shall attend and successfully complete twenty-four 112  
of these thirty-two hours at statewide meetings, and eight of 113  
these thirty-two hours at regional meetings, sponsored by the 114  
association. The association may approve attendance at 115  
continuing education programs it does not sponsor but, if 116  
attendance is approved, successful completion of hours at these 117  
programs shall be counted toward fulfilling only the twenty- 118  
four-hour requirement described in division (B) (2) of this 119  
section. 120

(3) Upon successful completion of a continuing education 121  
program required by division (B) (1) or (2) of this section, the 122  
person who successfully completes the program shall receive from 123  
the association or the sponsoring organization a certificate 124  
indicating that the person successfully completed the program. 125

**Sec. 313.04.** When the coroner is absent temporarily from 126  
the county, or when on duty with the armed services of the 127  
United States, the state militia, or the American red cross, or 128  
when unable to discharge the duties of ~~his~~ the office of of 129  
coroner, such coroner may appoint a person with the necessary 130  
qualifications to act as coroner during such absence, service, 131  
or disability. 132

When there is a vacancy in the coroner's office as a 133  
result of death or resignation and the vacancy cannot be filled 134  
by election or appointment as provided in section 305.02 of the 135  
Revised Code, or if no one runs for the office of coroner and, 136  
for that reason, the office is vacant, the board of county 137

commissioners may contract with another county's coroner to 138  
exercise the powers and perform the acts, duties, or functions 139  
of the coroner. In addition to the applicable amounts of 140  
compensation specified in sections 325.15 and 325.18 of the 141  
Revised Code, the coroner with whom the board contracts may 142  
receive a supplemental payment for services rendered. The 143  
duration of the contract shall not extend beyond the last day of 144  
the term for which there was a vacancy. 145

**Sec. 313.05.** (A) (1) The coroner may appoint, in writing, 146  
deputy coroners, who shall be licensed physicians of good 147  
standing in their profession, one of whom may be designated as 148  
the chief deputy coroner. The coroner also may appoint 149  
pathologists as deputy coroners, who may perform autopsies, make 150  
pathological and chemical examinations, and perform other duties 151  
as directed by the coroner or recommended by the prosecuting 152  
attorney. The coroner may appoint any necessary technicians. 153

The coroner may contract for the services of deputy 154  
coroners to aid the coroner in the execution of the coroner's 155  
powers and duties. Contracts for the services of deputy coroners 156  
are exempt from any competitive bidding requirements of the 157  
Revised Code. 158

(2) The coroner may appoint, in writing, one or more 159  
secretaries and an official stenographer, who shall record the 160  
testimony of witnesses in attendance upon the coroner's inquest, 161  
preserve and file properly indexed records of all official 162  
reports, acts, and communications of the office, and perform 163  
other services as required by the coroner. 164

(3) The coroner may appoint clerks, stenographers, 165  
custodians, and investigators and shall define their duties. 166

(4) For the performance of their duties, deputy coroners, pathologists serving as deputy coroners, and technicians, stenographers, secretaries, clerks, custodians, and investigators shall receive salaries fixed by the coroner and payable from the county treasury upon the warrant of the county auditor. The compensation shall not exceed, in the aggregate, the amount fixed by the board of county commissioners for the coroner's office.

(B) (1) A coroner may appoint, as a deputy coroner, as a pathologist serving as a deputy coroner, or as a technician, stenographer, secretary, clerk, custodian, investigator, or other employee a person who is an associate of, or who is employed by, the coroner or a deputy coroner in the private practice of medicine in a partnership, professional association, or other medical business arrangement. ~~A coroner~~

(2) A coroner may appoint, as an investigator, a deputy sheriff within the county or a law enforcement officer of a political subdivision located within the county. The deputy sheriff or law enforcement officer appointed as an investigator may receive compensation for services performed as an investigator in addition to any other compensation allowed by law.

**Sec. 313.14.** (A) The coroner shall notify any known relatives of a deceased person who meets death in the manner described by section 313.12 of the Revised Code by letter or otherwise. The next of kin, other relatives, or friends of the deceased person, in the order named, shall have prior right as to disposition of the body of such deceased person. If relatives of the deceased are unknown, the coroner shall make a diligent effort to ascertain the next of kin, other relatives, or friends

of the deceased person. The coroner shall take charge and 197  
possession of all moneys, clothing, and other valuable personal 198  
effects of such deceased person, found in connection with or 199  
pertaining to such body, and shall store such possessions in the 200  
county coroner's office or such other suitable place as is 201  
provided for such storage by the board of county commissioners. 202  
If the coroner considers it advisable, ~~he the coroner~~ may, after 203  
taking adequate precautions for the security of such 204  
possessions, store the possessions where ~~he the coroner~~ finds 205  
them until other storage space becomes available. ~~After~~ 206

(B) In cases in which the cost of the burial is paid by 207  
the county, after using such of the clothing as is necessary in 208  
the burial of the body, ~~in case the cost of the burial is paid~~ 209  
~~by the county,~~ the coroner shall sell at public auction the 210  
valuable personal effects of such deceased persons, found in 211  
connection with or pertaining to the unclaimed dead body, except 212  
firearms, which shall be disposed of as provided ~~by~~ in division 213  
(C) of this section ~~313.141 of the Revised Code, and he.~~ The 214  
coroner shall make a verified inventory of such effects. ~~Such~~ 215  
~~effects~~ and they shall be sold within eighteen months after 216  
burial, or after delivery of such body in accordance with 217  
section 1713.34 of the Revised Code. All moneys derived from 218  
such sale shall be deposited in the county treasury. A notice of 219  
such sale shall be given in one newspaper of general circulation 220  
in the county, for five days in succession, and the sale shall 221  
be held immediately thereafter. The cost of such advertisement 222  
and notices shall be paid by the board upon the submission of a 223  
verified statement therefor, certified to the coroner. 224

(C) A coroner shall deliver to the following person any 225  
firearm found in the personal effects of a deceased person who 226  
meets death in the manner described by section 313.12 of the 227



Revised Code: 228

(1) If the firearm is needed as evidence, the coroner shall deliver the firearm to the police chief of the municipal corporation in which the body is found, or to the sheriff of the county, if the body is not found in a municipal corporation. The law enforcement officer to whom the firearm is delivered shall give the coroner a receipt for the firearm that states the date of delivery and an accurate description of the firearm. 229  
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(2) If the firearm is not delivered under division (C)(1) of this section, the coroner shall deliver the firearm to the appointed and qualified administrator or executor of the deceased person's estate in accordance with section 313.22 of the Revised Code. 236  
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(D) This section does not invalidate section 1713.34 of the Revised Code. 241  
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**Sec. 313.161.** (A) Whenever an autopsy is performed, and the injury causing death occurred within the boundaries of a county other than the one in which the autopsy was performed, such other county shall pay the costs of the autopsy. The cost of such autopsy shall be no greater than the actual value of the services of the technicians and materials used. Money derived from the fees paid for such autopsies shall be credited to the coroner's laboratory fund created in section 313.16 of the Revised Code. 243  
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(B)(1) Whenever an autopsy is performed, and the person who died was an inmate of a state correctional facility, the department of rehabilitation and correction or the department of youth services, as appropriate, shall pay the costs of the autopsy. The costs of the autopsy shall be no greater than the 252  
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actual value of the transportation of the body, services of the 257  
technicians, and the facilities and materials used. Money 258  
derived from the fees paid for such autopsies shall be credited 259  
to the coroner's laboratory fund created in section 313.16 of 260  
the Revised Code. 261

(2) As used in this division, "state correctional 262  
facility" means a "state correctional institution," as defined 263  
in section 2967.01 of the Revised Code, a state correctional 264  
institution that is privately operated and managed pursuant to 265  
section 9.06 of the Revised Code, and an "institution," as 266  
defined in section 5139.01 of the Revised Code. 267

**Sec. 325.15.** (A) Each coroner shall be classified, for 268  
salary purposes, according to the population of the county. All 269  
coroners shall receive annual compensation in accordance with 270  
the following schedules and in accordance with section 325.18 of 271  
the Revised Code: 272

~~CLASSIFICATION AND COMPENSATION SCHEDULE~~ 273

~~FOR CALENDAR YEAR 2000 FOR~~ 274

~~CORONERS WITH A PRIVATE PRACTICE~~ 275

<del>Class</del>	<del>Population Range</del>	<del>Compensation</del>	
<del>-- 1</del>	<del>1 - 20,000</del>	<del>\$16,628</del>	277
<del>-- 2</del>	<del>20,001 - 40,000</del>	<del>18,293</del>	278
<del>-- 3</del>	<del>40,001 - 55,000</del>	<del>20,786</del>	279
<del>-- 4</del>	<del>55,001 - 70,000</del>	<del>23,280</del>	280
<del>-- 5</del>	<del>70,001 - 85,000</del>	<del>25,774</del>	281
<del>-- 6</del>	<del>85,001 - 95,000</del>	<del>31,595</del>	282

<del>-- 7</del>	<del>95,001 - 105,000</del>	<del>34,089</del>	283
<del>-- 8</del>	<del>105,001 - 125,000</del>	<del>36,584</del>	284
<del>-- 9</del>	<del>125,001 - 175,000</del>	<del>39,909</del>	285
<del>-- 10</del>	<del>175,001 - 275,000</del>	<del>42,404</del>	286
<del>-- 11</del>	<del>275,001 - 400,000</del>	<del>49,054</del>	287
<del>-- 12</del>	<del>400,001 - 600,000</del>	<del>52,380</del>	288
<del>-- 13</del>	<del>600,001 - 1,000,000</del>	<del>55,706</del>	289
<del>-- 14</del>	<del>Over 1,000,000</del>	<del>59,032</del>	290

~~CLASSIFICATION AND COMPENSATION SCHEDULE~~ 291

~~FOR CALENDAR YEAR 2000 FOR~~ 292

~~CORONERS WITHOUT A PRIVATE PRACTICE~~ 293

<del>Class</del>	<del>Population Range</del>	<del>Compensation</del>	294
<del>-- 10</del>	<del>175,001 - 275,000</del>	<del>\$95,815</del>	295
<del>-- 11</del>	<del>275,001 - 400,000</del>	<del>95,815</del>	296
<del>-- 12</del>	<del>400,001 - 600,000</del>	<del>95,815</del>	297
<del>-- 13</del>	<del>600,001 - 1,000,000</del>	<del>95,815</del>	298
<del>-- 14</del>	<del>Over 1,000,000</del>	<del>95,815</del>	299

~~CLASSIFICATION AND COMPENSATION SCHEDULE~~ 300

~~FOR CALENDAR YEAR 2001 FOR~~ 301

~~CORONERS WITH A PRIVATE PRACTICE~~ 302

<del>Class</del>	<del>Population Range</del>	<del>Compensation</del>	303
1	1 - 20,000	\$18,842	304

2	20,001 - 35,000	21,410	305
3	35,001 - 55,000	23,978	306
4	55,001 - 95,000	35,112	307
5	95,001 - 200,000	43,676	308
6	200,001 - 400,000	53,951	309
7	400,001 - 1,000,000	60,803	310
8	1,000,001 or more	64,451	311

CLASSIFICATION AND COMPENSATION SCHEDULE 312

FOR CALENDAR YEAR 2001 FOR 313

CORONERS WITHOUT A PRIVATE PRACTICE 314

Class	Population Range	Compensation	315
5	175,001 - 200,000	\$98,689	316
6	200,001 - 400,000	98,689	317
7	400,001 - 1,000,000	101,085	318
8	1,000,001 or more	103,480	319

(B) (1) A coroner in a county with a population of one 320  
hundred seventy-five thousand one or more shall not engage in 321  
the private practice of medicine unless, before taking office, 322  
the coroner notifies the board of county commissioners of the 323  
intention to engage in that private practice. A 324

~~A coroner in such a county with a population of one~~ 325  
~~hundred seventy five thousand one or more shall elect to engage~~ 326  
~~or not to engage in the private practice of medicine before the~~ 327  
~~commencement of each new term of office, and a .~~ A coroner in 328  
such a county who engages in the private practice of medicine,  329

but who intends not to engage in the private practice of 330  
medicine during the coroner's next term of office, shall so 331  
notify the board of county commissioners as specified in this 332  
division. For a period of six months after taking office, a 333  
coroner who elects not to engage in the private practice of 334  
medicine may engage in the private practice of medicine, without 335  
any reduction of ~~the salary compensation~~ as provided in division 336  
(A) of this section and in section 325.18 of the Revised Code, 337  
for the purpose of concluding the affairs of the coroner's 338  
private practice of medicine. 339

(2) A coroner in a county with a population of one hundred 340  
seventy-five thousand one or more who elects not to engage in 341  
the private practice of medicine under division (B)(1) of this 342  
section may, during the coroner's term of office, elect to 343  
engage in the private practice of medicine by notifying the 344  
board in writing of the intention to so engage. The notice shall 345  
state the date on which the coroner will commence the private 346  
practice of medicine and shall be given to the board at least 347  
thirty days before that date. On the date stated in the notice, 348  
the coroner's compensation shall be reduced as provided in 349  
division (A) of this section and in section 325.18 of the 350  
Revised Code for coroners with a private practice. 351

(C) Each coroner who is the coroner in a county with a 352  
population of one hundred seventy-five thousand one or more and 353  
who is without a private practice of medicine shall receive 354  
supplemental compensation of an additional fifty per cent of the 355  
annual compensation calculated under division (A) of this 356  
section and section 325.18 of the Revised Code in each calendar 357  
year in which the office of the coroner satisfies all of the 358  
following: 359

(1) The office operates as a regional forensic pathology examination referral center, and the operation generates coroner's laboratory fund income, for purposes of section 313.16 of the Revised Code, that is in excess of the fund's expenses and is sufficient to provide the supplemental compensation specified in division (C) of this section; 360  
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(2) The coroner is a forensic pathologist certified by the American board of pathology; and 366  
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(3) The coroner performs a minimum of seventy-five post mortem examinations annually. 368  
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(D) Each coroner who is the coroner in a county with a population of one hundred seventy-five thousand one or more and who is without a private practice of medicine and does not operate a regional forensic pathology examination referral center may, on approval of the board of county commissioners, receive supplemental compensation of up to an additional twenty-five per cent of the annual compensation calculated under division (A) of this section and section 325.18 of the Revised Code in each calendar year in which the coroner is a forensic pathologist certified by the American board of pathology and is performing the forensic examinations of the county. 370  
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**Section 2.** That existing sections 9.15, 313.01, 313.02, 313.04, 313.05, 313.14, 313.161, and 325.15 and section 313.141 of the Revised Code are hereby repealed. 381  
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