

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1331

Session of
1993

INTRODUCED BY FAJT, LEVDANSKY, KAISER, MICHLOVIC, MARKOSEK,
MURPHY, PETRONE, TRELLO, VEON, COY, CESSAR, KREBS, MELIO,
LAUB, TANGRETTI AND CURRY, APRIL 21, 1993

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 17, 1994

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," abolishing the office of
5 elected coroner and creating the position of county medical
6 examiner in counties of the second class.

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

9 Section 1. Section 401(a) of the act of July 28, 1953
10 (P.L.723, No.230), known as the Second Class County Code,
11 amended November 27, 1968 (P.L.1114, No.346), is amended to
12 read:

13 Section 401. Enumeration of Elected Officers.--(a) In the
14 county there shall be the following officers elected by the
15 qualified electors of the county:

- 16 (1) three county commissioners;
17 (2) one controller;
18 (3) one treasurer;

- 1 (4) one coroner in counties of the second class A;
- 2 (5) one recorder of deeds;
- 3 (6) one prothonotary;
- 4 (7) one clerk of the court of quarter sessions and of the
- 5 court of oyer and terminer;
- 6 (8) one register of wills;
- 7 (9) one sheriff;
- 8 (10) one district attorney;
- 9 (11) two jury commissioners.

10 * * *

11 Section 2. Sections 420 and 431 of the act are amended to
12 read:

13 Section 420. Official Bonds; Requirements.--Each of the
14 following officers, before entering upon his official duties,
15 whether he is elected, appointed or appointed to fill a vacancy,
16 shall give and acknowledge a bond to the county:

- 17 (1) Each county commissioner;
- 18 (2) The chief clerk of the county commissioners;
- 19 (3) The controller;
- 20 (4) The county treasurer;
- 21 (5) The prothonotary;
- 22 (6) The sheriff;
- 23 (7) The coroner or medical examiner;
- 24 (8) The clerk of the court of quarter sessions and oyer and
- 25 terminer;
- 26 (9) The clerk of the orphans' court;
- 27 (10) The recorder of deeds; and
- 28 (11) The probation and parole officers required by order of
- 29 court to give bond to the county.

30 Every such official bond shall be joint and several, with one

1 or more corporate sureties which shall be surety companies
2 authorized to do business in this Commonwealth and duly licensed
3 by the Insurance Commissioner of the Commonwealth.

4 Section 431. Amount of Official Bonds.--The amount of the
5 bond to be given by county officers shall be as follows:

6 Of the clerk of the courts of oyer and terminer and general
7 jail delivery and courts of quarter sessions of the peace, ten
8 thousand dollars.

9 Of the county commissioners, ten thousand dollars each.

10 Of the county controller, fifty thousand dollars.

11 Of the coroner or medical examiner, fifteen thousand dollars.

12 Of the register of wills, thirty thousand dollars.

13 Of the prothonotary, forty thousand dollars.

14 Of the recorder of deeds, twenty thousand dollars.

15 Of the sheriff, sixty thousand dollars.

16 Of the county treasurer, two hundred thousand dollars.

17 Section 3. Section 434 of the act, amended September 28,
18 1978 (P.L.798, No.153), is amended to read:

19 Section 434. Deputies and Solicitors May Attend Annual
20 Meetings.--The deputy controller, the deputy sheriff, the deputy
21 register of wills, the deputy treasurer, the deputy
22 prothonotary, the deputy clerk of courts, the deputy recorder of
23 deeds, the deputy clerk of orphans' court, the first assistant
24 district attorney, one assistant public defender and the chief
25 deputy coroner or medical examiner, with the approval of his
26 principal and the solicitor for each office may attend the
27 annual meetings of his respective associations, either together
28 with the controller, sheriff, register of wills, prothonotary,
29 clerk of courts, recorder of deeds, district attorney, public
30 defender, coroner or medical examiner or treasurer, as the case

1 may be, or in his place.

2 Section 4. Section 450(a) of the act, amended November 27,
3 1968 (P.L.1114, No.346), is amended to read:

4 Section 450. Removal of County Officers and Appointees.--(a)
5 The county commissioners, the sheriffs, coroners in counties of
6 the second class A, prothonotaries, registers of wills,
7 recorders of deeds, treasurers, controllers, clerks of the
8 courts, district attorneys, and any other officers of the
9 county, whether elected or duly appointed to fill a vacancy,
10 shall be removable from office only by impeachment, or by the
11 Governor, for reasonable cause, after due notice and full
12 hearing, on the advice of two-thirds of the Senate, or upon
13 conviction of misbehavior in office or of any infamous crime, in
14 accordance with the Constitution of this Commonwealth, but their
15 title to office may be tried by proceedings of quo warranto as
16 provided by law.

17 * * *

18 Section 5. The heading of Article XII of the act is amended
19 and the article is amended by adding a subdivision to read:

20 Article XII

21 Sheriff [and], Coroner and County Medical Examiner

22 * * *

23 (c) Second Class County Medical Examiner

24 Section 1261. County Medical Examiner.--(a) The office of
25 county medical examiner is hereby created in counties of the
26 second class.

27 (b) The office of county medical examiner shall be headed by
28 the county medical examiner who shall be appointed by the county
29 commissioners.

30 (c) (1) Upon a vacancy in the position of county medical

examiner, the county commissioners shall appoint a County Medical Examiner Selection Committee. This committee shall be comprised of nine members as follows:

(i) One member shall be the district attorney of the county.

(ii) One member shall be the Chairman of the Department of Epidemiology of the University of Pittsburgh's School of Public Health or his designee.

(iii) One member shall be the Chairman of the Department of Forensic Psychiatry of the Western Psychiatric Institute and Clinic or his designee.

(iv) One member, appointed in consultation with the Funeral Directors Society of the county, shall be an accredited funeral director whose place of business is within the county.

(v) One member shall be the President of the Allegheny County Police Chiefs Association or his designee.

(vi) One member shall be the Dean of the Medical School of the University of Pittsburgh or his designee. ANY PERSON APPOINTED TO SERVE AS A DESIGNEE OF THE DEAN OF THE MEDICAL SCHOOL OF THE UNIVERSITY OF PITTSBURGH SHALL BE A LICENSED PHYSICIAN. IN THE EVENT THAT THE DEAN OF THE MEDICAL SCHOOL OF THE UNIVERSITY OF PITTSBURGH IS NOT A LICENSED PHYSICIAN, A LICENSED PHYSICIAN DESIGNEE SHALL BE APPOINTED TO SERVE IN HIS PLACE.

(vii) One member shall be the Dean of the Law School of Duquesne University or his designee.

(viii) Two members shall be appointed from the general public. The county commissioners shall not appoint persons who are either physicians or attorneys to serve as public members.

(2) All members of the selection committee shall either maintain their principal residence or principal place of

1 business within a county of the second class.

2 (3) The selection committee shall review the professional
3 credentials of individuals interested in the position of county
4 medical examiner to insure that the individual meets the
5 requirements of this section. The committee members may also
6 consider other additional factors, as deemed appropriate, such
7 as professional and administrative experience, a personal
8 interview, education beyond the minimum requirements, etc. The
9 selection committee shall then, within sixty days of the
10 appointment of the committee, present a list of at least three
11 candidates who, in the best judgment of the committee members,
12 would be both qualified and able to hold the position of county
13 medical examiner from which the county commissioners shall
14 appoint a county medical examiner: Provided however, That in the
15 event that the county commissioners find all candidates
16 unacceptable, they shall, within fifteen days of such finding,
17 communicate such finding to the selection committee with a
18 written explanation of why such candidates are unacceptable. The
19 committee shall then, within thirty days, nominate additional
20 candidates to the county commissioners.

21 (d) No person shall be appointed county medical examiner
22 unless he is a physician licensed, or qualified to be licensed,
23 to practice medicine in this Commonwealth and is certified as a
24 Diplomate in Anatomic Pathology by the American Board of
25 Pathology, with at least two years' experience in the field of
26 forensic pathology.

27 (e) Following a one-year probationary period, the county
28 medical examiner shall be subject to removal for cause by the
29 county commissioners and he shall be removed from office on
30 conviction of misbehavior in office or of any infamous crime.

1 (f) Following five consecutive years of service by the same
2 individual as county medical examiner, the County Medical
3 Examiner Selection Committee shall review the performance of the
4 individual and the office of the county medical examiner and
5 make a recommendation to the county commissioners regarding his
6 retention.

7 (1) At this time, the county medical examiner may be removed
8 by the county commissioners for cause and the office shall be
9 declared vacant and filled pursuant to the provisions of this
10 section. The county commissioners shall, within fifteen days of
11 the removal of the county medical examiner, supply the outgoing
12 county medical examiner with a written explanation of why he is
13 being dismissed.

14 (2) If the county medical examiner is retained, he shall be
15 subject to similar reviews at subsequent five-year intervals, if
16 he holds the position for such a length of time.

17 (g) The county medical examiner may not engage in the
18 private practice of medicine for profit which would conflict
19 with any duties, responsibilities or authority of the office of
20 the county medical examiner and involves the use of the
21 facilities or personnel of the office of the county medical
22 examiner or the county morgue.

23 (h) Except where otherwise specified, all powers and duties
24 previously exercised and performed by the coroner in counties of
25 the second class shall hereinafter be exercised and performed by
26 the county medical examiner.

27 (i) The county medical examiner must provide the County
28 Medical Examiner Selection Committee and the county
29 commissioners with an annual financial and administrative report
30 on the operations of the office.

1 Section 1262. Office of County Medical Examiner.--(a) The
2 county medical examiner may appoint a chief deputy medical
3 examiner and may appoint one or more additional deputies to act
4 in his place, as he deems necessary. The deputy or deputies
5 shall have the same powers as the county medical examiner. The
6 county medical examiner shall also have the power to appoint,
7 remove and supervise all employes of the office of county
8 medical examiner.

9 (b) The county medical examiner may appoint one person,
10 learned in the law, as his solicitor. The solicitor shall advise
11 the county medical examiner upon all legal matters that may be
12 submitted to him and shall conduct any litigation in connection
13 with the coroner's office when requested to do so by him. The
14 salary of the solicitor shall be determined by the salary board.

15 (c) If the county medical examiner shall be legally removed
16 from office or shall die or resign, the chief deputy medical
17 examiner, where one exists, shall execute the office of county
18 medical examiner and perform all things thereunto appertaining
19 until another county medical examiner is appointed and notice
20 thereof is given to such chief deputy medical examiner.

21 (d) The county commissioners shall make available, according
22 to existing law, such funds for investigative, technical and
23 clerical personnel and such facilities and equipment as the
24 county commissioners shall deem necessary for the county medical
25 examiner to carry out his duties as herein prescribed.

26 (e) The county salary board shall set the compensation of
27 the county medical examiner and all other employes of the office
28 of county medical examiner.

29 (f) Requests for examinations or other professional services
30 by other counties or persons may be complied with at the

pleasure of the county medical examiner pursuant to guidelines established by the county commissioners:

(1) A set of fees and charges for such examinations or professional services shall be established by the county medical examiner, subject to approval by the county commissioners and shall be accounted for and paid to the county treasurer pursuant to sections 1801 and 1802.

(2) Payment for examinations or professional services shall be the responsibility of the county or person requesting such services.

(g) The county medical examiner shall make general rules and regulations for the government and control of county morgues, and shall, where such staff is necessary, appoint suitable persons for such morgues so established to have charge of the same, and who shall be removable at the pleasure of the county medical examiner. The number of such persons and the salary of each shall be fixed by the salary board.

(h) The county medical examiner shall establish, and revise when necessary, guidelines relative to the qualifications and responsibilities of his employees.

(i) The office of the county medical examiner shall be available for official business twenty-four hours a day, seven days a week.

Section 1263. Removal of Bodies to Morgue.--Whenever the body of any deceased person who is unidentified, or which body is unclaimed by proper persons, has been found within the county, it shall be removed to the county morgue. The county medical examiner shall, if he deems it necessary, cause any such body to be properly embalmed or prepared for preservation for such length of time as he may think proper. Any such body shall

1 be examined or inspected only by such persons as the county
2 medical examiner authorizes in writing or who are admitted in
3 his presence. No such body shall be removed from any such morgue
4 except upon the certificate of the county medical examiner.

5 Section 1264. Ambulances.--In the county, the county
6 commissioners shall furnish and maintain, from the general funds
7 of the county, ambulances for the removal of bodies of deceased
8 persons to and from the morgue and for the burial of unclaimed
9 bodies. The county medical examiner may provide rules and
10 regulations for the use and maintenance of the ambulances.

11 Section 1265. Unclaimed Property of Deceased; Sales.--(a)
12 The county medical examiner shall safely keep in his charge all
13 personal effects and property which appear to have been on or
14 about the person at the time of his death, or being found on any
15 decedent whose body is received at the county morgue, and all
16 such effects and property which are delivered to him according
17 to law. The county medical examiner shall hold such property for
18 one year, unless sooner claimed by legal representatives of the
19 deceased or otherwise duly and lawfully claimed or disposed of.

20 (b) After one year, the county medical examiner shall cause
21 such property remaining unclaimed, or so much thereof as remains
22 undisposed of according to law except moneys and such properties
23 as securities which may not be subject to such a sale, which
24 shall be turned over to the county commissioners for proper
25 disposition or use, to be sold at public sale.

26 (c) Notice of any such public sale shall be published in at
27 least one newspaper of general circulation in the county once a
28 week for three successive weeks. The proceeds of all such sales
29 shall be paid immediately into the county treasury, and the
30 county medical examiner shall make a written report thereof to

1 the county commissioners, under oath, at the same time. If the
2 body has been buried at the expense of the institution district,
3 the county shall pay the proceeds of the sale, of such property
4 as was not subject to sale, as hereinbefore provided, less
5 costs, over to the institution district. The foregoing
6 provisions shall be in lieu of escheat to the Commonwealth.

7 Section 1266. County Medical Examiner's Investigations.--The
8 county medical examiner having a view of the body shall
9 investigate the facts and circumstances concerning deaths which
10 appear to have happened within the county, regardless where the
11 cause thereof may have occurred, for the purpose of determining
12 whether or not an autopsy should be conducted or an inquest
13 should be held, in the following cases:

14 (1) sudden deaths not caused by readily recognizable
15 disease, or wherein the cause of death cannot be properly
16 certified by a physician on the basis of prior (recent) medical
17 attendance;

18 (2) deaths occurring under suspicious circumstances,
19 including those where alcohol, drugs or other toxic substances
20 may have had a direct bearing on the outcome;

21 (3) deaths occurring as a result of violence or trauma,
22 whether apparently homicidal, suicidal or accidental (including
23 those due to mechanical, thermal, chemical, electrical or
24 radiational injury, drowning, cave-ins and subsidences);

25 (4) any death in which trauma, chemical injury, drug
26 overdose or reaction to drugs or medication or medical
27 treatment, was a primary or secondary, direct or indirect,
28 contributory, aggravating or precipitating cause of death;

29 (5) operative and peri-operative deaths in which the death
30 is not readily explainable on the basis of prior disease;

1 (6) any death wherein the body is unidentified or unclaimed;
2 (7) deaths known or suspected as due to contagious disease
3 and constituting a public hazard;
4 (8) deaths occurring in prison, penal institution or while
5 in the custody of the police;
6 (9) deaths of persons whose bodies are to be cremated,
7 buried at sea or otherwise disposed of so as to be thereafter
8 unavailable for examination; and
9 (10) sudden infant death syndrome.

10 The purpose of the investigation shall be to determine the cause
11 of any such death and to determine whether or not there is
12 sufficient reason for the county medical examiner to believe
13 that any such death may have resulted from criminal acts or
14 criminal neglect of persons other than the deceased.

15 Section 1267. Sudden Deaths Defined.--The county medical
16 examiner shall regard any death as sudden if it occurs without
17 prior medical attendance by a person who may lawfully execute a
18 certificate of death in this Commonwealth, or if, within twenty-
19 four hours of death, the decedent was discharged from such
20 medical attendance if a change of such medical attendance had
21 occurred, or if such medical attendance began within twenty-four
22 hours of death and the medical attendant refuses or is unable to
23 certify the cause of death. Medical attendance includes
24 hospitalization. The provisions of this section shall not be
25 construed to affect the medical examiner's discretion as to
26 whether or not any death was suspicious, nor shall they be
27 construed to authorize the county medical examiner to
28 investigate a sudden death any further than necessary to
29 determine the cause and manner of death.

30 Section 1268. Bodies not to be Moved.--In all cases where

1 the county medical examiner has jurisdiction to investigate the
2 facts and circumstances of death, the body and its surroundings
3 shall be left untouched until the county medical examiner has
4 had a view thereof or until he shall otherwise direct or
5 authorize, except as may be otherwise provided by law, or as
6 circumstances may require. Bodies upon a public thoroughfare or
7 in other places may be removed so much as is necessary for
8 precaution against traffic accidents or other serious
9 consequences which might reasonably be anticipated if they were
10 left intact.

11 Section 1269. County Medical Examiner's Investigation,
12 Autopsy; Inquest; Records.--(a) If, upon the investigation by
13 the county medical examiner, he shall be unable to determine the
14 cause and manner of death, he shall perform an autopsy on the
15 body.

16 (b) If the county medical examiner is unable to determine
17 the cause and manner of death following the autopsy, he shall
18 proceed to conduct an inquest upon a view of the body, as
19 provided by law. At the inquest, the county medical examiner's
20 duty shall be to ascertain the cause of death and to determine
21 whether any person other than the deceased was criminally
22 responsible therefor by act or neglect, and if so, the identity
23 of the persons, and any further evidence and witnesses regarding
24 the crime.

25 (c) The proceedings at the inquest shall be recorded, at the
26 expense of the county, in a manner to be provided by the county
27 commissioners, and any salary that may be required for this
28 purpose shall be fixed by the salary board.

29 (d) The county medical examiner may, in his discretion,
30 admit or exclude members of the public from any inquest or part

1 thereof, and admit or exclude any person interested or suspected
2 from such inquest or any part thereof. No person excluded may
3 appear by attorney, but any person required to attend may have
4 benefit of counsel at such attendance.

5 Section 1270. Inquests; Juries.--(a) The county medical
6 examiner may at his discretion summon a jury of six to be
7 selected from the jury panel in the criminal division, court of
8 common pleas.

9 (b) The function of such jury shall be to determine the
10 manner of death and whether any criminal act of persons known or
11 unknown caused such death. Such jury shall be paid as provided
12 by law as if they were serving the court of common pleas.

13 Section 1271. Power of Subpoena and Attachment.--The county
14 medical examiner shall have power to issue subpoenas to obtain
15 the attendance of any person whom it may be necessary to examine
16 as a witness at any inquest, and to compel attendance by
17 attachment in like manner and to the same extent as any court of
18 common pleas of this Commonwealth may or can do in cases pending
19 before it, and also to compel in like manner the production of
20 all papers and other things relative to such inquest. Such
21 subpoena and attachment shall be served and executed by the
22 sheriff or by the medical examiner himself or his deputy, as the
23 case may require.

24 Section 1272. Power to Administer Oaths.--The county medical
25 examiner shall have power to administer oaths and affirmations
26 to all persons brought or appearing before him, and any person
27 swearing or affirming falsely on such examination shall be
28 guilty of perjury.

29 Section 1273. Commitment to County Prison.--If any person
30 appearing before the county medical examiner for examination

1 shall refuse to take oath or affirmation, or after having been
2 sworn or affirmed shall refuse to make answer to such questions
3 as shall be put to him by the county medical examiner touching
4 the matters of the inquest, such person so refusing may be held
5 for contempt before the court of common pleas.

6 Section 1274. Cooperation with District Attorney.--In the
7 exercise of his duties as contained in this subdivision, the
8 county medical examiner shall, so far as may be practicable,
9 consult and advise with the district attorney.

10 Section 1275. Release of County Medical Examiner's
11 Jurisdiction.--Whenever the county medical examiner assumes
12 jurisdiction of a body pursuant to the provisions of this
13 subdivision or of any other law, the body shall not be released
14 or removed from his jurisdiction except upon his direction and
15 consent, in accordance with law.

16 Section 1276. Certificate of Cause of Death.--The county
17 medical examiner shall issue a certificate of cause of death in
18 all cases referred to him by the local registrar of vital
19 statistics, pursuant to the provisions of the act of June 29,
20 1953 (P.L.304, No.66), known as the "Vital Statistics Law of
21 1953," and in all other cases of which he has jurisdiction, if
22 no person duly authorized by that act certifies the cause of
23 death.

24 Section 1277. Pituitary Glands.--(a) The county medical
25 examiner performing an autopsy otherwise authorized by law may
26 remove the pituitary gland of the decedent and dispose of it
27 pursuant to subsection (b) if:

28 (1) the decedent by his will or other document authorizes
29 the removal; or

30 (2) any of the persons listed in 20 Pa.C.S. § 8602(b)

1 (relating to persons who may execute an anatomical gift)
2 authorizes its removal and no person in a higher class, as
3 provided in 20 Pa.C.S. § 8602(b), overrules the person's
4 permission.

5 The pituitary glands may not be removed, as provided for in this
6 section, if the removal would interfere in any way with an
7 anatomical gift made pursuant to 20 Pa.C.S. Ch. 86 (relating to
8 anatomical gifts).

9 (b) Pituitary glands removed pursuant to this section shall
10 be delivered to the National Pituitary Agency for use in
11 research and manufacturing of hormones necessary for the
12 physical growth of hypopituitary dwarfs, or to such other agency
13 or organization for similar purposes as authorized by the
14 Humanity Gifts Registry.

15 (c) Any moneys payable for the delivery of pituitary glands
16 as provided in subsection (b) may be waived by the county
17 medical examiner. If such moneys are not waived, the proceeds
18 shall be payable directly to the county treasury and no officer
19 or employe of the county medical examiner's office shall receive
20 any compensation for such removal or disposition except the
21 salaries or fees otherwise payable by law.

22 (d) Nothing in this section shall be construed to prohibit
23 or regulate the removal of pituitary glands when such removal is
24 deemed necessary for the purposes of the autopsy.

25 Section 1278. Anatomical Gifts.--The county medical examiner
26 may order the removal of parts of a decedents body for donation
27 purposes in accordance with Chapter 86 of Title 20 (relating to
28 anatomical gifts).

29 Section 6. The heading of subdivision (c) of Article XII and
30 sections 1260, 1261 and 1262 of the act are amended to read:

1 [(c)] (d) Provisions Relating to Sheriffs [and],

2 Coroners and Medical Examiners

3 Section [1260] 1290. Not to Exercise Office Until Commission
4 Granted and Recorded; Penalty.--No person elected or appointed
5 to the office of sheriff or coroner shall execute any of the
6 duties of such office before a commission shall have been duly
7 granted to him by the Governor and recorded in the recorder of
8 deeds office, under a penalty of imprisonment for a term not
9 exceeding six months, at the discretion of the court of quarter
10 sessions. Such person shall nevertheless be liable to any person
11 injured by any acts done by him under color of such office.

12 Section [1261] 1291. Recognizances of Sheriffs [and],
13 Coroners and Medical Examiners.--(a) Every sheriff, whether
14 elected, reelected or appointed to fill a vacancy, not including
15 any coroner temporarily acting as sheriff, and every coroner and
16 medical examiner, before he is commissioned or executes any
17 duties of his respective office, shall execute and duly
18 acknowledge before the recorder of deeds a proper recognizance,
19 without any surety, to the Commonwealth of Pennsylvania for the
20 faithful discharge of all of his official duties, in like manner
21 as that of his official bond required by law and in a form
22 containing like conditions as such bond. The recognizance shall
23 be immediately recorded in said county, at the expense of said
24 sheriff or coroner or medical examiner, and when so recorded
25 shall be transmitted to the Secretary of the Commonwealth with
26 said recorder's certificate endorsed thereon of its having been
27 duly recorded and with a reference to the place of record
28 thereof.

29 (b) Every such recognizance hereafter executed shall
30 continue to be a lien on the real estate owned by the sheriff or

1 coroner or medical examiner at the date of such acknowledgment
2 for a period of six years from that date. Every recognizance
3 heretofore executed by any sheriff or coroner or medical
4 examiner shall continue to be a lien on the real estate owned by
5 the sheriff or coroner or medical examiner at the time the
6 recognizance was dated for a period of six years after that
7 date, but in every case where the period of six years has
8 already expired, the lien of such recognizance shall continue
9 for a period of two years after the twenty-ninth day of
10 September, one thousand nine hundred fifty-one, or to the end of
11 the lien term fixed by law at the time the recognizance was
12 executed, whichever date shall first occur.

13 (c) The Secretary of the Commonwealth shall have and keep
14 the custody of every such recognizance, and any copy thereof and
15 of said endorsements certified to by the Secretary of the
16 Commonwealth shall be competent evidence of the execution,
17 delivery and recording thereof in any judicial proceedings, and
18 may be relied upon by any public officer to the same extent as
19 the original recognizance.

20 (d) The recorder of deeds may also certify copies of such
21 recognizance and the time and place of record thereof for like
22 purposes, upon receipt of his fees therefor, according to
23 existing laws.

24 (e) Such recognizance or any duly certified copy thereof may
25 likewise be recorded and indexed like a judgment in any other
26 county of this Commonwealth by any person or public officer,
27 upon payment of the usual fees to the recorder of deeds and
28 prothonotary of such county, respectively, for the purpose of
29 creating a lien on any real estate of the sheriff or coroner or
30 medical examiner obligated thereby lying in such other county.

(f) It shall be the duty of the recorder of deeds of the county for which a sheriff or coroner or medical examiner is elected or appointed, as soon as said sheriff or coroner or medical examiner is commissioned, to certify the date, amount and place of record of his recognizance, with the name and address of said sheriff or coroner or medical examiner, to the prothonotary of said county, who shall enter such information upon his dockets and index the lien of such recognizance like a judgment obtained in the court of common pleas of the county.

(g) Every sheriff's or coroner's or medical examiner's recognizance hereafter given shall inure to the benefit of any surety on his official bond entitled to subrogation to the rights of any person or corporation, including any county intended to be benefited thereby, injured by any official misconduct or neglect of the sheriff or coroner or medical examiner who executed such recognizance, to the extent of any payments by such surety for any damages for which such sheriff or coroner or medical examiner may be held to be liable in any suit or proceedings against such sheriff or coroner or medical examiner on his official bond or recognizance. A similar right of subrogation may be enforced with respect to any such recognizance heretofore given, to the extent permitted by law or equity.

Section [1262] 1292. Sale of Real Estate Bound by Lien.--(a) If the sheriff or coroner or medical examiner shall sell any real estate bound by the lien of any recognizance, such sheriff or coroner or medical examiner may present a petition to the court of common pleas of the county wherein the land so bound is situate, accompanied by notice to his sureties on his official bond and to his board of county commissioners, setting forth the

1 fact of such sale, and praying for a release of the lien of such
2 recognizance upon the real estate described in the petition.

3 (b) The court, being satisfied of the sufficiency of the
4 sureties upon his official bond and that no action has been
5 commenced by any person or corporation on said recognizance, or
6 that all suits thereon have been ended by payment of any
7 judgments obtained therein or otherwise, may release the lien
8 upon such land.

9 (c) The court of common pleas of such officer's county may,
10 before the release of the lien upon any such real estate,
11 approve of additional sureties to be added or substituted upon
12 his official bond, as such court shall deem necessary.

13 Section 7. Sections 1925, 2112 and 2590 of the act are
14 amended to read:

15 Section 1925. Power of Subpoena and Attachment.--The
16 controller shall have power to issue subpoenas to obtain the
17 attendance of the officers whose accounts they are required to
18 adjust, their executors and administrators, and of any person
19 whom it may be necessary to examine as witnesses, and to compel
20 their attendance by attachment, in like manner and to the same
21 extent as any court of common pleas of this State may or can do
22 in cases pending before them, and also to compel in like manner
23 the production of all books, vouchers and papers relative to
24 such accounts. Such subpoena and attachment shall be served and
25 executed by the sheriff or coroner or medical examiner of the
26 county, as the case may require.

27 Section 2112. Notification to County Commissioners.--The
28 coroners, medical examiners and all other public officers,
29 agents and servants, and all officers, agents and servants of
30 any county, city, township, borough, district or other

1 municipality, or of any prison, morgue, hospital, home or other
2 public institution, having the control or custody of the body of
3 the deceased service person whose body is entitled to be buried
4 under the provisions of this subdivision, shall immediately,
5 upon the death or arrival of the body of such deceased service
6 person, notify the county commissioners of the county wherein
7 such death occurred or wherein such deceased service person
8 shall have had his legal residence.

9 Section 2590. Authority to Provide; Approval.--The county
10 commissioners of each county may, upon presentment of two
11 successive grand juries of the county, buy or lease land and
12 construct and maintain thereon, at the expense of the county, a
13 morgue for the reception and care of the bodies of all unclaimed
14 deceased persons upon whom it may be necessary to hold a
15 coroner's or medical examiner's inquest and such other bodies as
16 the coroner or medical examiner of the county may, by written
17 order, direct to be received therein. The location of such
18 morgue shall be determined by the county commissioners, subject
19 to the approval of a judge of the court of common pleas and the
20 coroner or medical examiner of the county.

21 Section 8. The provisions of this amendatory act shall not
22 apply until the end of the existing coroner's term of office,
23 unless a vacancy occurs in the office of coroner in which case a
24 county medical examiner shall be appointed as the successor to
25 the coroner in accordance with this amendatory act. UPON THE
26 ABOLISHMENT OF THE ELECTED OFFICE OF CORONER IN COUNTIES OF THE
27 SECOND CLASS UNDER THIS ACT, NO PERSON MAY BE ELECTED THEREAFTER
28 AS CORONER.

29 Section 9. This act shall take effect immediately.