

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1304

Session of
1981

INTRODUCED BY HEISER, POTT, McVERRY, CESSAR, MARMION, FLECK,
TADDONIO, FRAZIER, HORGOS, MICHLOVIC, PENDLETON AND
GRABOWSKI, APRIL 27, 1981

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 20, 1981

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. Subsection (a) of section 401, act of July 28,
10 1953 (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. Subsection (a) of section 450 of the act, amended
3 November 27, 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 to read:

20 Article XII

21 Sheriff [and], Coroner and County Medical Examiner

22 Section 6. The act is amended by adding a subdivision to
23 read:

24 (c) Second Class County Medical Examiner

25 Section 1231.1. County Medical Examiner.--(a) The office of
26 county medical examiner is hereby created and established in
27 counties of the second class.

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

1 (C) (1) WITHIN THIRTY DAYS OF THE END OF THE TERM OF THE
2 LAST CORONER OR WITHIN THIRTY DAYS OF ANY SUBSEQUENT VACANCY IN
3 THE POSITION OF COUNTY MEDICAL EXAMINER, THE COUNTY
4 COMMISSIONERS SHALL APPOINT A COUNTY MEDICAL EXAMINER SELECTION
5 COMMITTEE. THIS COMMITTEE SHALL BE COMPRISED OF FIVE MEMBERS AS
6 FOLLOWS:

7 (I) ONE MEMBER SHALL BE AN ATTORNEY WHO PRACTICES LAW AND
8 RESIDES IN THE COUNTY, APPOINTED IN CONSULTATION WITH THE COUNTY
9 BAR ASSOCIATION.

10 (II) ONE MEMBER SHALL BE A PHYSICIAN WHO PRACTICES MEDICINE
11 AND RESIDES IN THE COUNTY, APPOINTED IN CONSULTATION WITH THE
12 COUNTY MEDICAL SOCIETY.

13 (III) ONE MEMBER SHALL BE A MEMBER OF THE FACULTY OR
14 ADMINISTRATION OF A SCHOOL OF MEDICINE LOCATED IN THE COUNTY.

15 (IV) ONE MEMBER SHALL BE THE HEAD OF THE COUNTY DEPARTMENT
16 OF PUBLIC HEALTH.

17 (V) ONE MEMBER SHALL BE A POLICE CHIEF OR OTHER LAW
18 ENFORCEMENT OFFICER OF A MUNICIPALITY LOCATED IN THE COUNTY.

19 (2) THE SELECTION COMMITTEE SHALL REVIEW THE PROFESSIONAL
20 CREDENTIALS OF INDIVIDUALS INTERESTED IN THE POSITION OF COUNTY
21 MEDICAL EXAMINER TO INSURE THAT THE INDIVIDUAL MEETS THE
22 REQUIREMENTS OF THIS SECTION. THE COMMITTEE MEMBERS MAY ALSO
23 CONSIDER SUCH OTHER ADDITIONAL FACTORS AS THEY DEEM APPROPRIATE
24 SUCH AS, PROFESSIONAL AND ADMINISTRATIVE EXPERIENCE, A PERSONAL
25 INTERVIEW, EDUCATION BEYOND THE MINIMUM REQUIREMENTS, ETC. THE
26 SELECTION COMMITTEE SHALL THEN, WITHIN SIXTY DAYS OF THE
27 APPOINTMENT OF THE COMMITTEE, PRESENT A LIST OF AT LEAST THREE
28 CANDIDATES WHO, IN THE BEST JUDGMENT OF THE COMMITTEE MEMBERS,
29 WOULD BE BOTH QUALIFIED AND ABLE TO HOLD THE POSITION OF COUNTY
30 MEDICAL EXAMINER FROM WHICH THE COUNTY COMMISSIONERS SHALL

1 APPOINT A COUNTY MEDICAL EXAMINER: PROVIDED HOWEVER, THAT IN THE
2 EVENT THAT THE COUNTY COMMISSIONERS FIND ALL CANDIDATES
3 UNACCEPTABLE THEY SHALL, WITHIN FIFTEEN DAYS OF SUCH FINDING,
4 COMMUNICATE SUCH FINDING TO THE SELECTION COMMITTEE WITH A
5 WRITTEN EXPLANATION OF WHY SUCH CANDIDATES ARE UNACCEPTABLE. THE
6 COMMITTEE SHALL THEN WITHIN THIRTY DAYS, NOMINATE ADDITIONAL
7 CANDIDATES TO THE COUNTY COMMISSIONERS.

8 ~~(c)~~ (D) No person shall be appointed county medical examiner <—
9 unless he is a physician licensed, or qualified to be licensed,
10 to practice medicine in Pennsylvania and is certified as a
11 Diplomate in Anatomic Pathology by the American Board of
12 Pathology, with additional formal training in the field of
13 forensic pathology.

14 ~~(d)~~ (E) a one year probationary period the county medical <—
15 examiner shall be subject to removal for cause by the county
16 commissioners and he shall be removed from office on conviction
17 of misbehavior in office or of any infamous crime.

18 (F) FOLLOWING TEN CONSECUTIVE YEARS OF SERVICE BY THE SAME <—
19 INDIVIDUAL AS COUNTY MEDICAL EXAMINER, THE COUNTY COMMISSIONERS
20 SHALL REVIEW THE PERFORMANCE OF THE INDIVIDUAL AND THE OFFICE OF
21 THE COUNTY MEDICAL EXAMINER FOR THE PURPOSE OF DECIDING WHETHER
22 THE CURRENT COUNTY MEDICAL EXAMINER SHALL BE RETAINED. SUCH A
23 REVIEW SHALL NOT TAKE PLACE WITHIN SIXTY DAYS OF AN ELECTION FOR
24 COUNTY COMMISSIONERS. IN THE EVENT THAT THE TENTH ANNIVERSARY
25 DATE WOULD FALL WITHIN THIS TIME PERIOD, THE REVIEW OF THE
26 COUNTY MEDICAL EXAMINER SHALL BE HELD AT LEAST SIXTY DAYS AFTER
27 THE ELECTION.

28 (1) AT THIS TIME THE COUNTY MEDICAL EXAMINER MAY BE REMOVED
29 AT THE DISCRETION OF THE COUNTY COMMISSIONERS, WHEREBY THE
30 OFFICE SHALL BE DECLARED VACANT AND FILLED PURSUANT TO THE

1 PROVISIONS OF THIS SECTION. THE COUNTY COMMISSIONERS SHALL,
2 WITHIN FIFTEEN DAYS OF THE REMOVAL OF THE COUNTY MEDICAL
3 EXAMINER, SUPPLY THE OUTGOING COUNTY MEDICAL EXAMINER WITH A
4 WRITTEN EXPLANATION OF WHY HE IS BEING DISMISSED.

5 (2) IF THE COUNTY MEDICAL EXAMINER IS RETAINED HE SHALL BE
6 SUBJECT TO SIMILAR REVIEWS AT SUBSEQUENT TEN YEAR INTERVALS, IF
7 HE HOLDS THE POSITION FOR SUCH A LENGTH OF TIME.

8 ~~(e)~~ (G) The county medical examiner may not engage in the <—
9 private practice of medicine, however he may work part-time at
10 an area hospital or he may serve as a consultant, lecturer,
11 teacher or in other related activities at the discretion of, and
12 subject to approval by the county commissioners and provided
13 that such activities do not interfere with the duties as
14 prescribed herein, and do not conflict with any duties,
15 responsibilities or authority of the office of the county
16 medical examiner and do not involve the use of the facilities or
17 personnel of the office of the county medical examiner or the
18 county morgue.

19 ~~(f)~~ (H) Except where otherwise specified, all powers and <—
20 duties previously exercised and performed by the coroner in
21 counties of the second class shall hereinafter be exercised and
22 performed by the county medical examiner.

23 Section 1232.1. Office of County Medical Examiner.--(a)
24 The county medical examiner shall appoint a chief deputy medical
25 examiner and may appoint one or more additional deputies to act
26 in his place or stead, as he may deem proper and necessary. Such
27 deputy or deputies shall have the same powers as the county
28 medical examiner. The county medical examiner shall also have
29 the power to appoint, remove and supervise all employes of the
30 office of county medical examiner.

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

7 (c) If the county medical examiner shall be legally removed
8 from office or shall die or resign, the chief deputy medical
9 examiner shall execute the office of county medical examiner and
10 perform all things thereunto appertaining until another county
11 medical examiner is appointed and notice thereof is given to
12 such chief deputy medical examiner.

13 (d) The county commissioners shall make available, according
14 to existing law, such funds for investigative, technical and
15 clerical personnel and such facilities and equipment as the
16 county commissioners shall deem necessary for the county medical
17 examiner to carry out his duties as herein prescribed.

18 (e) The county salary board shall set the compensation of
19 the county medical examiner and all other employes of the office
20 of county medical examiner.

21 (f) Requests for examinations or other professional services
22 by other counties or persons may be complied with at the
23 pleasure of the county medical examiner pursuant to guidelines
24 established by the county commissioners:

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

30 (2) Payment for examinations or professional services shall

1 be the responsibility of the county or person requesting such
2 services.

3 (g) The county medical examiner shall make general rules and
4 regulations for the government and control of county morgues,
5 and shall appoint suitable persons for such morgues so
6 established to have charge of the same, and who shall be
7 removable at the pleasure of the county medical examiner. The
8 number of such persons and the salary of each shall be fixed by
9 the salary board.

10 (H) THE COUNTY MEDICAL EXAMINER SHALL ESTABLISH, AND REVISE <—
11 WHEN NECESSARY, GUIDELINES RELATIVE TO THE QUALIFICATIONS AND
12 RESPONSIBILITIES OF HIS EMPLOYEES.

13 (I) THE OFFICE OF THE COUNTY MEDICAL EXAMINER SHALL BE
14 AVAILABLE FOR OFFICIAL BUSINESS TWENTY-FOUR HOURS A DAY SEVEN
15 DAYS A WEEK.

16 Section 1233.1. Removal of Bodies to Morgue.--Whenever the
17 body of any deceased person who is unidentified, or which body
18 is unclaimed by proper persons, has been found within the
19 county, it shall be removed to the county morgue. The county
20 medical examiner shall, if he deems it necessary, cause any such
21 body to be properly embalmed or prepared for preservation for
22 such length of time as he may think proper. Any such body shall
23 be examined or inspected only by such persons as the county
24 medical examiner authorizes in writing or who are admitted in
25 his presence. No such body shall be removed from any such morgue
26 except upon the certificate of the county medical examiner.

27 Section 1234.1. Ambulances.--In the county, the county
28 commissioners shall furnish and maintain, from the general funds
29 of the county, ambulances for the removal of bodies of deceased
30 persons to and from the morgue and for the burial of unclaimed

bodies. The county medical examiner may provide rules and regulations for the use and maintenance of the ambulances.

Section 1235.1. Unclaimed Property of Deceased; Sales.--(a)

The county medical examiner shall safely keep in his charge all personal effects and property which appear to have been on or about the person at the time of his death, or being found on any decedent whose body is received at the county morgue, and all such effects and property which are delivered to him according to law. The county medical examiner shall hold such property for one year, unless sooner claimed by legal representatives of the deceased or otherwise duly and lawfully claimed or disposed of.

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

(c) Notice of any such public sale shall be published in at least one newspaper of general circulation in the county once a week for three successive weeks. The proceeds of all such sales shall be paid immediately into the county treasury, and the county medical examiner shall make a written report thereof to the county commissioners, under oath, at the same time. If the body has been buried at the expense of the institution district, the county shall pay the proceeds of the sale, of such property as was not subject to sale, as hereinbefore provided, less costs, over to the institution district. The foregoing provisions shall be in lieu of escheat to the Commonwealth.

Section 1236.1. County Medical Examiner's Investigations.--

The county medical examiner having a view of the body shall

investigate the facts and circumstances concerning deaths which appear to have happened within the county, regardless where the cause thereof may have occurred, for the purpose of determining whether or not an autopsy should be conducted or an inquest should be held, in the following cases:

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

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

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

(4) any death in which trauma, chemical injury, drug overdose or reaction to drugs or medication OR MEDICAL TREATMENT, was a primary or secondary direct or indirect, contributory, aggravating or precipitating cause of death;

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

(6) any death wherein the body is unidentified or unclaimed;

(7) deaths known or suspected as due to contagious disease and constituting a public hazard;

(8) deaths occurring in prison, penal institution or while in the custody of the police; and

(9) deaths of persons whose bodies are to be cremated, buried at sea or otherwise disposed of so as to be thereafter unavailable for examination; AND

1 (10) SUDDEN INFANT DEATH SYNDROME.

2 The purpose of the investigation shall be to determine the cause
3 of any such death and to determine whether or not there is
4 sufficient reason for the county medical examiner to believe
5 that any such death may have resulted from criminal acts or
6 criminal neglect of persons other than the deceased.

7 Section 1237.1. Sudden Deaths Defined.--The county medical
8 examiner shall regard any death as sudden if it occurs without
9 prior medical attendance by a person who may lawfully execute a
10 certificate of death in this Commonwealth, or if, within twenty-
11 four (24) hours of death, the decedent was discharged from such
12 medical attendance if a change of such medical attendance had
13 occurred, or if such medical attendance began within twenty-four
14 (24) hours of death and the medical attendant refuses or is
15 unable to certify the cause of death. Medical attendance
16 includes hospitalization. The provisions of this section shall
17 not be construed to affect the medical examiner's discretion as
18 to whether or not any death was suspicious, nor shall they be
19 construed to authorize the county medical examiner to
20 investigate a sudden death any further than necessary to
21 determine the cause and manner of death.

22 Section 1238.1. Bodies not to be Moved.--In all cases where
23 the county medical examiner has jurisdiction to investigate the
24 facts and circumstances of death, the body and its surroundings
25 shall be left untouched until the county medical examiner has
26 had a view thereof or until he shall otherwise direct or
27 authorize, except as may be otherwise provided by law, or as
28 circumstances may require. Bodies upon a public thoroughfare or
29 in other places may be removed so much as is necessary for
30 precaution against traffic accidents or other serious

1 consequences which might reasonably be anticipated if they were
2 left intact.

3 Section 1239.1. County Medical Examiner's Investigation,
4 Autopsy; Inquest; Records.--(a) If, upon the investigation by
5 the county medical examiner, he shall be unable to determine the
6 cause and manner of death, he shall perform an autopsy on the
7 body.

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

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

21 (d) The county medical examiner, may in his discretion,
22 admit or exclude members of the public from any inquest or part
23 thereof, and admit or exclude any person interested or suspected
24 from such inquest or any part thereof. No person excluded may
25 appear by attorney, but any person required to attend may have
26 benefit of counsel at such attendance.

27 Section 1240.1. Inquests; Juries.--(a) The county medical
28 examiner may at his discretion summon a jury of six to be
29 selected from the jury panel in the criminal division, court of
30 common pleas.

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

5 Section 1241.1. Power of Subpoena and Attachment.--The
6 county medical examiner shall have power to issue subpoenas to
7 obtain the attendance of any person whom it may be necessary to
8 examine as a witness at any inquest, and to compel attendance by
9 attachment in like manner and to the same extent as any court of
10 common pleas of this Commonwealth may or can do in cases pending
11 before it, and also to compel in like manner the production of
12 all papers and other things relative to such inquest. Such
13 subpoena and attachment shall be served and executed by the
14 sheriff or by the medical examiner himself or his deputy, as the
15 case may require.

16 Section 1242.1. Power to Administer Oaths.--The county
17 medical examiner shall have power to administer oaths and
18 affirmations to all persons brought or appearing before him, and
19 any person swearing or affirming falsely on such examination
20 shall be guilty of perjury.

21 Section 1243.1. Commitment to County Prison.--If any person
22 appearing before the county medical examiner for examination
23 shall refuse to take oath or affirmation, or after having been
24 sworn or affirmed shall refuse to make answer to such questions
25 as shall be put to him by the county medical examiner touching
26 the matters of the inquest, such person so refusing may be held
27 for contempt before the court of common pleas.

28 Section 1244.1. Cooperation with District Attorney.--In the
29 exercise of his duties as contained in this subdivision, the
30 county medical examiner shall, so far as may be practicable,

1 consult and advise with the district attorney.

2 Section 1245.1. Release of County Medical Examiner's
3 Jurisdiction.--Whenever the county medical examiner assumes
4 jurisdiction of a body pursuant to the provisions of this
5 subdivision or of any other law, the body shall not be released
6 or removed from his jurisdiction except upon his direction and
7 consent, in accordance with law.

8 Section 1246.1. Certificate of Cause of Death.--The county
9 medical examiner shall issue a certificate of cause of death in
10 all cases referred to him by the local registrar of vital
11 statistics, pursuant to the provisions of the act of June 29,
12 1953 (P.L.304, No.66), known as the "Vital Statistics Law of
13 1953," and in all other cases of which he has jurisdiction, if
14 no person duly authorized by the said act certifies the cause of
15 death.

16 SECTION 1247.1. PITUITARY GLANDS.--(A) THE COUNTY MEDICAL <—
17 EXAMINER PERFORMING AN AUTOPSY OTHERWISE AUTHORIZED BY LAW MAY
18 REMOVE THE PITUITARY GLAND OF THE DECEDENT AND DISPOSE OF IT
19 PURSUANT TO SUBSECTION (B) IF:

20 (1) THE DECEDENT BY HIS WILL OR OTHER DOCUMENT AUTHORIZES
21 THE REMOVAL; OR

22 (2) ANY OF THE PERSONS LISTED IN 20 PA.C.S. § 8602(B)
23 (RELATING TO PERSONS WHO MAY EXECUTE AN ANATOMICAL GIFT)
24 AUTHORIZES ITS REMOVAL AND NO PERSON IN A HIGHER CLASS, AS
25 PROVIDED IN 20 PA.C.S. § 8602(B), OVERRULES THE PERSON'S
26 PERMISSION.

27 THE PITUITARY GLANDS MAY NOT BE REMOVED, AS PROVIDED FOR IN THIS
28 SECTION, IF THE REMOVAL WOULD INTERFERE IN ANY WAY WITH AN
29 ANATOMICAL GIFT MADE PURSUANT TO 20 PA.C.S. CH. 86 (RELATING TO
30 ANATOMICAL GIFTS).

1 (B) PITUITARY GLANDS REMOVED PURSUANT TO THIS SECTION SHALL
2 BE DELIVERED TO THE NATIONAL PITUITARY AGENCY FOR USE IN
3 RESEARCH AND MANUFACTURING OF HORMONES NECESSARY FOR THE
4 PHYSICAL GROWTH OF HYPOPITUITARY DWARFS, OR TO SUCH OTHER AGENCY
5 OR ORGANIZATION FOR SIMILAR PURPOSES AS AUTHORIZED BY THE
6 HUMANITY GIFTS REGISTRY.

7 (C) ANY MONEYS PAYABLE FOR THE DELIVERY OF PITUITARY GLANDS
8 AS PROVIDED IN SUBSECTION (B) MAY BE WAIVED BY THE COUNTY
9 MEDICAL EXAMINER. IF SUCH MONEYS ARE NOT WAIVED, THE PROCEEDS
10 SHALL BE PAYABLE DIRECTLY TO THE COUNTY TREASURY AND NO OFFICER
11 OR EMPLOYE OF THE COUNTY MEDICAL EXAMINER'S OFFICE SHALL RECEIVE
12 ANY COMPENSATION FOR SUCH REMOVAL OR DISPOSITION EXCEPT THE
13 SALARIES OR FEES OTHERWISE PAYABLE BY LAW.

14 (D) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT
15 OR REGULATE THE REMOVAL OF PITUITARY GLANDS WHEN SUCH REMOVAL IS
16 DEEMED NECESSARY FOR THE PURPOSES OF THE AUTOPSY.

17 SECTION 1248.1. ANATOMICAL GIFTS.--THE COUNTY MEDICAL
18 EXAMINER MAY ORDER THE REMOVAL OF PARTS OF A DECEDENTS BODY FOR
19 DONATION PURPOSES IN ACCORDANCE WITH THE SO-CALLED UNIFORM
20 ANATOMICAL GIFTS ACT, 20 PA.C.S. CH. 86.

21 Section 7. The heading of subdivision (c) of Article XII and
22 sections 1261 and 1262 of the act are amended to read:

23 [(c)] (d) Provisions Relating to Sheriffs [and],
24 Coroners and Medical Examiners

25 Section 1261. Recognizances of Sheriffs [and], Coroners and
26 Medical Examiners.--(a) Every sheriff, whether elected,
27 reelected or appointed to fill a vacancy, not including any
28 coroner temporarily acting as sheriff, and every coroner and
29 medical examiner, before he is commissioned or executes any
30 duties of his respective office, shall execute and duly

1 acknowledge before the recorder of deeds a proper recognizance,
2 without any surety, to the Commonwealth of Pennsylvania for the
3 faithful discharge of all of his official duties, in like manner
4 as that of his official bond required by law and in a form
5 containing like conditions as such bond. The recognizance shall
6 be immediately recorded in said county, at the expense of said
7 sheriff or coroner or medical examiner, and when so recorded
8 shall be transmitted to the Secretary of the Commonwealth with
9 said recorder's certificate endorsed thereon of its having been
10 duly recorded and with a reference to the place of record
11 thereof.

12 (b) Every such recognizance hereafter executed shall
13 continue to be a lien on the real estate owned by the sheriff or
14 coroner or medical examiner at the date of such acknowledgment
15 for a period of six years from that date. Every recognizance
16 heretofore executed by any sheriff or coroner or medical
17 examiner shall continue to be a lien on the real estate owned by
18 the sheriff or coroner or medical examiner at the time the
19 recognizance was dated for a period of six years after that
20 date, but in every case where the period of six years has
21 already expired, the lien of such recognizance shall continue
22 for a period of two years after the twenty-ninth day of
23 September, one thousand nine hundred fifty-one, or to the end of
24 the lien term fixed by law at the time the recognizance was
25 executed, whichever date shall first occur.

26 (c) The Secretary of the Commonwealth shall have and keep
27 the custody of every such recognizance, and any copy thereof and
28 of said endorsements certified to by the Secretary of the
29 Commonwealth shall be competent evidence of the execution,
30 delivery and recording thereof in any judicial proceedings, and

1 may be relied upon by any public officer to the same extent as
2 the original recognizance.

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

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

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

23 (g) Every sheriff's or coroner's or medical examiner's
24 recognizance hereafter given shall inure to the benefit of any
25 surety on his official bond entitled to subrogation to the
26 rights of any person or corporation, including any county
27 intended to be benefited thereby, injured by any official
28 misconduct or neglect of the sheriff or coroner or medical
29 examiner who executed such recognizance, to the extent of any
30 payments by such surety for any damages for which such sheriff

1 or coroner or medical examiner may be held to be liable in any
2 suit or proceedings against such sheriff or coroner or medical
3 examiner on his official bond or recognizance. A similar right
4 of subrogation may be enforced with respect to any such
5 recognizance heretofore given, to the extent permitted by law or
6 equity.

7 Section 1262. Sale of Real Estate Bound by Lien.--(a) If
8 the sheriff or coroner or medical examiner shall sell any real
9 estate bound by the lien of any recognizance, such sheriff or
10 coroner or medical examiner may present a petition to the court
11 of common pleas of the county wherein the land so bound is
12 situate, accompanied by notice to his sureties on his official
13 bond and to his board of county commissioners, setting forth the
14 fact of such sale, and praying for a release of the lien of such
15 recognizance upon the real estate described in the petition.

16 (b) The court, being satisfied of the sufficiency of the
17 sureties upon his official bond and that no action has been
18 commenced by any person or corporation on said recognizance, or
19 that all suits thereon have been ended by payment of any
20 judgments obtained therein or otherwise, may release the lien
21 upon such land.

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

26 Section 8. Sections 1925, 2112 and 2590 of the act are
27 amended to read:

28 Section 1925. Power of Subpoena and Attachment.--The
29 controller shall have power to issue subpoenas to obtain the
30 attendance of the officers whose accounts they are required to

1 adjust, their executors and administrators, and of any person
2 whom it may be necessary to examine as witnesses, and to compel
3 their attendance by attachment, in like manner and to the same
4 extent as any court of common pleas of this State may or can do
5 in cases pending before them, and also to compel in like manner
6 the production of all books, vouchers and papers relative to
7 such accounts. Such subpoena and attachment shall be served and
8 executed by the sheriff or coroner or medical examiner of the
9 county, as the case may require.

10 Section 2112. Notification to County Commissioners.--The
11 coroners, medical examiners and all other public officers,
12 agents and servants, and all officers, agents and servants of
13 any county, city, township, borough, district or other
14 municipality, or of any prison, morgue, hospital, home or other
15 public institution, having the control or custody of the body of
16 the deceased service person whose body is entitled to be buried
17 under the provisions of this subdivision, shall immediately,
18 upon the death or arrival of the body of such deceased service
19 person, notify the county commissioners of the county wherein
20 such death occurred or wherein such deceased service person
21 shall have had his legal residence.

22 Section 2590. Authority to Provide; Approval.--The county
23 commissioners of each county may, upon presentment of two
24 successive grand juries of the county, buy or lease land and
25 construct and maintain thereon, at the expense of the county, a
26 morgue for the reception and care of the bodies of all unclaimed
27 deceased persons upon whom it may be necessary to hold a
28 coroner's inquest and such other bodies as the coroner or
29 medical examiner of the county may, by written order, direct to
30 be received therein. The location of such morgue shall be

1 determined by the county commissioners, subject to the approval
2 of a judge of the court of common pleas and the coroner or
3 medical examiner of the county.

4 Section 9. The office of coroner IN SECOND CLASS COUNTIES is <—
5 hereby abolished and following January ~~1~~⁷ 10, 1982 no person <—
6 shall hereafter be elected as any such officer after the
7 existing coroner's term of office terminates.

8 Section 10. This act shall take effect January ~~1~~⁷ 10, 1982, <—
9 but shall not apply until the end of the existing coroner's term
10 of office, unless a vacancy occurs in the office of coroner ON <—
11 OR AFTER JANUARY 10, 1982 at which time a county medical
12 examiner shall be appointed as successor to the coroner in
13 accordance with this act.