

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1331

Session of  
1993

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INTRODUCED BY FAJT, LEVDANSKY, KAISER, MICHLOVIC, MARKOSEK,  
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LAUB, TANGRETTI AND CURRY, APRIL 21, 1993

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AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 19, 1994

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### 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) The present coroner shall, upon the effective date of~~

<—

~~this section, be the county medical examiner and shall serve in  
accordance with the terms and conditions of this subdivision.~~

~~(d)~~ (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.

(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  
business within a county of the second class.

(3) The selection committee shall review the professional  
credentials of individuals interested in the position of county

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

18 ~~(e)~~ (D) No person shall be appointed county medical examiner <—  
19 unless he is a physician licensed, or qualified to be licensed,  
20 to practice medicine in this Commonwealth and is certified as a  
21 Diplomate in Anatomic Pathology by the American Board of  
22 Pathology, with at least two-years' experience in the field of  
23 forensic pathology.

24 ~~(f)~~ (E) Following a one-year probationary period, the county <—  
25 medical examiner shall be subject to removal for cause by the  
26 county commissioners and he shall be removed from office on  
27 conviction of misbehavior in office or of any infamous crime.

28 ~~(g)~~ (F) Following five consecutive years of service by the <—  
29 same individual as county medical examiner, the County Medical  
30 Examiner Selection Committee shall review the performance of the

individual and the office of the county medical examiner and make a recommendation to the county commissioners regarding his retention.

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

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

~~(h)~~ (G) The county medical examiner may not engage in the private practice of medicine for profit which would conflict with any duties, responsibilities or authority of the office of the county medical examiner and involves the use of the facilities or personnel of the office of the county medical examiner or the county morgue.

~~(i)~~ (H) Except where otherwise specified, all powers and duties previously exercised and performed by the coroner in counties of the second class shall hereinafter be exercised and performed by the county medical examiner.

~~(j)~~ (I) The county medical examiner must provide the County Medical Examiner Selection Committee and the county commissioners with an annual financial and administrative report on the operations of the office.

Section 1262. Office of County Medical Examiner.--(a) The county medical examiner may appoint a chief deputy medical examiner and may appoint one or more additional deputies to act

1 in his place, as he deems necessary. The deputy or deputies  
2 shall have the same powers as the county medical examiner. The  
3 county medical examiner shall also have the power to appoint,  
4 remove and supervise all employes of the office of county  
5 medical examiner.

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

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

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

23 (e) The county salary board shall set the compensation of  
24 the county medical examiner and all other employes of the office  
25 of county medical examiner.

26 (f) Requests for examinations or other professional services  
27 by other counties or persons may be complied with at the  
28 pleasure of the county medical examiner pursuant to guidelines  
29 established by the county commissioners:

30 (1) A set of fees and charges for such examinations or



1 professional services shall be established by the county medical  
2 examiner, subject to approval by the county commissioners and  
3 shall be accounted for and paid to the county treasurer pursuant  
4 to sections 1801 and 1802.

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

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

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

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

21 Section 1263. Removal of Bodies to Morgue.--Whenever the  
22 body of any deceased person who is unidentified, or which body  
23 is unclaimed by proper persons, has been found within the  
24 county, it shall be removed to the county morgue. The county  
25 medical examiner shall, if he deems it necessary, cause any such  
26 body to be properly embalmed or prepared for preservation for  
27 such length of time as he may think proper. Any such body shall  
28 be examined or inspected only by such persons as the county  
29 medical examiner authorizes in writing or who are admitted in  
30 his presence. No such body shall be removed from any such morgue

1 except upon the certificate of the county medical examiner.

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

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

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

23 (c) Notice of any such public sale shall be published in at  
24 least one newspaper of general circulation in the county once a  
25 week for three successive weeks. The proceeds of all such sales  
26 shall be paid immediately into the county treasury, and the  
27 county medical examiner shall make a written report thereof to  
28 the county commissioners, under oath, at the same time. If the  
29 body has been buried at the expense of the institution district,  
30 the county shall pay the proceeds of the sale, of such property

1 as was not subject to sale, as hereinbefore provided, less  
2 costs, over to the institution district. The foregoing  
3 provisions shall be in lieu of escheat to the Commonwealth.

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

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

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

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

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

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

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

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

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

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

6     (10) sudden infant death syndrome.

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

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

27     Section 1268. Bodies not to be Moved.--In all cases where  
28 the county medical examiner has jurisdiction to investigate the  
29 facts and circumstances of death, the body and its surroundings  
30 shall be left untouched until the county medical examiner has

1 had a view thereof or until he shall otherwise direct or  
2 authorize, except as may be otherwise provided by law, or as  
3 circumstances may require. Bodies upon a public thoroughfare or  
4 in other places may be removed so much as is necessary for  
5 precaution against traffic accidents or other serious  
6 consequences which might reasonably be anticipated if they were  
7 left intact.

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

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

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

26 (d) The county medical examiner may, in his discretion,  
27 admit or exclude members of the public from any inquest or part  
28 thereof, and admit or exclude any person interested or suspected  
29 from such inquest or any part thereof. No person excluded may  
30 appear by attorney, but any person required to attend may have

1 benefit of counsel at such attendance.

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

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

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

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

26 Section 1273. Commitment to County Prison.--If any person  
27 appearing before the county medical examiner for examination  
28 shall refuse to take oath or affirmation, or after having been  
29 sworn or affirmed shall refuse to make answer to such questions  
30 as shall be put to him by the county medical examiner touching

1 the matters of the inquest, such person so refusing may be held  
2 for contempt before the court of common pleas.

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

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

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

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

25 (1) the decedent by his will or other document authorizes  
26 the removal; or

27 (2) any of the persons listed in 20 Pa.C.S. § 8602(b)  
28 (relating to persons who may execute an anatomical gift)  
29 authorizes its removal and no person in a higher class, as  
30 provided in 20 Pa.C.S. § 8602(b), overrules the person's

1 permission.

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

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

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

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

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

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

28 [(c)] (d) Provisions Relating to Sheriffs [and],  
29 Coroners and Medical Examiners

30 Section [1260] 1290. Not to Exercise Office Until Commission



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

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

26       (b) Every such recognizance hereafter executed shall  
27   continue to be a lien on the real estate owned by the sheriff or  
28   coroner or medical examiner at the date of such acknowledgment  
29   for a period of six years from that date. Every recognizance  
30   heretofore executed by any sheriff or coroner or medical

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

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

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

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

28 (f) It shall be the duty of the recorder of deeds of the  
29 county for which a sheriff or coroner or medical examiner is  
30 elected or appointed, as soon as said sheriff or coroner or

1 medical examiner is commissioned, to certify the date, amount  
2 and place of record of his recognizance, with the name and  
3 address of said sheriff or coroner or medical examiner, to the  
4 prothonotary of said county, who shall enter such information  
5 upon his docket and index the lien of such recognizance like a  
6 judgment obtained in the court of common pleas of the county.

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

21 Section [1262] 1292. Sale of Real Estate Bound by Lien.--(a)  
22 If the sheriff or coroner or medical examiner shall sell any  
23 real estate bound by the lien of any recognizance, such sheriff  
24 or coroner or medical examiner may present a petition to the  
25 court of common pleas of the county wherein the land so bound is  
26 situate, accompanied by notice to his sureties on his official  
27 bond and to his board of county commissioners, setting forth the  
28 fact of such sale, and praying for a release of the lien of such  
29 recognizance upon the real estate described in the petition.

30 (b) The court, being satisfied of the sufficiency of the

1 sureties upon his official bond and that no action has been  
2 commenced by any person or corporation on said recognizance, or  
3 that all suits thereon have been ended by payment of any  
4 judgments obtained therein or otherwise, may release the lien  
5 upon such land.

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

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

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

24 Section 2112. Notification to County Commissioners.--The  
25 coroners, medical examiners and all other public officers,  
26 agents and servants, and all officers, agents and servants of  
27 any county, city, township, borough, district or other  
28 municipality, or of any prison, morgue, hospital, home or other  
29 public institution, having the control or custody of the body of  
30 the deceased service person whose body is entitled to be buried

1 under the provisions of this subdivision, shall immediately,  
2 upon the death or arrival of the body of such deceased service  
3 person, notify the county commissioners of the county wherein  
4 such death occurred or wherein such deceased service person  
5 shall have had his legal residence.

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

18 ~~Section 8. The office of coroner in second class counties is~~ <—  
19 ~~hereby abolished and following January 10, 1994, no person shall~~  
20 ~~hereafter be elected as any such officer after the existing~~  
21 ~~coroner's term of office terminates.~~

22 Section 9 8. The provisions of this amendatory act shall not <—  
23 apply until the end of the existing coroner's term of office,  
24 unless a vacancy occurs in the office of coroner in which case a  
25 county medical examiner shall be appointed as the successor to  
26 the coroner in accordance with this amendatory act.

27 Section ~~10~~ 9. This act shall take effect ~~January 10, 1994~~ <—  
28 IMMEDIATELY. <—