~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 1, 2012

**S. 1014**

Introduced by Senator Knotts

S. Printed 2/1/12--S. [SEC 2/2/12 12:16 PM]

Read the first time January 10, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1014) to amend Section 17‑5‑130, as amended, Code of Laws of South Carolina, 1976, relating to qualifications required for candidates for coroner, so as to require that persons, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, page 3, by striking lines 4-7, and inserting:

/ SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JOHN M. KNOTTS, JR. for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Department of Public Safety indicates that this bill will have no fiscal impact on the General Fund of the State, or on federal and or other funds.

**LOCAL GOVERNMENT IMPACT:**

Counties within the FIST network of local governments were surveyed by the Budget Division to determine the impact of this legislation. Two counties responded and indicated there would be no cost to them with the adoption of this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 17‑5‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS REQUIRED FOR CANDIDATES FOR CORONER, SO AS TO REQUIRE THAT PERSONS WHO QUALIFY FOR THE BALLOT BY MEANS OF EXPERIENCE QUALIFICATIONS TO HAVE ATTAINED THAT EXPERIENCE IN THE TEN YEARS BEFORE FILING AN AFFIDAVIT OF CANDIDACY, TO ELIMINATE TWO YEARS EXPERIENCE AS A LICENSED PRIVATE DETECTIVE AS A QUALIFICATION FOR THE BALLOT, AND TO PROVIDE THAT THE CORONERS TRAINING ADVISORY COMMITTEE SHALL DETERMINE THOSE FORENSIC SCIENCE DEGREE AND CERTIFICATION PROGRAMS THAT QUALIFY AS “RECOGNIZED” FOR PURPOSES OF THE TRAINING REQUIREMENTS REQUIRED FOR CANDIDATES FOR CORONER.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A. Section 17‑5‑130(A) of the 1976 Code, as last amended by Act 222 of 2010, is further amended to read:

“(A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;

(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;

(d) have attained the age of twenty‑one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two‑year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four‑year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23‑23‑10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience; or

(e) ~~be a licensed private investigator with a minimum of two years of experience; or~~

~~(f)~~ have completed a recognized forensic science degree or certification program or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner.

(3) The experience requirements provided pursuant to subitems (a) through (d) of item (2) of this section must have been completed within the last ten years before the filing of the affidavit required pursuant to this subsection.”

B. Section 17‑5‑130(G) of the 1976 Code, as last amended by Act 222 of 2010, is further amended to read:

“(G) the Director of the Department of Public Safety shall appoint a Coroners Training Advisory Committee to assist in the determination of training requirements for coroners and deputy coroners and to determine those forensic science degree and certification programs that qualify as ‘recognized’ pursuant to the requirements of this section. The committee must consist of no fewer than five coroners and at least one physician trained in forensic pathology as recommended by the South Carolina Coroners Association. The members of the committee shall serve without compensation.”

SECTION 2. This act takes effect upon approval by the Governor, except that the provisions of Section 17‑5‑130(A) as amended in Section 1.A. of this act, apply for persons appointed or elected to the office of coroner after 2012.

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