

Colorado Legislative Council Staff Fiscal Note
STATE and LOCAL
REVISED FISCAL IMPACT
(replaces fiscal note dated February 5, 2013)

Drafting Number: LLS 13-0042	Date: February 19, 2013
Prime Sponsor(s): Rep. Gardner Sen. Nicholson	Bill Status: House Second Reading
	Fiscal Analyst: Kirk Mlinek (303-866-2756)

TITLE: CONCERNING THE DUTIES OF CORONERS.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue	See State Revenue and Expenditures section.	
State Expenditures		
FTE Position Change		
Effective Date: Upon signature of the governor, or upon becoming law without his signature.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: See Local Government section.		

Summary of Legislation

The bill, **as amended by the House Committee on Local Government**, adds to existing duties and responsibilities for coroners and law enforcement when a person dies under circumstances that may require an investigation.

New duties for coroners include:

- doing post mortem work previously done by a physician;
- notifying law enforcement of a death if the coroner is the first to know;
- taking custody of suicide notes;
- notifying next of kin in certain circumstances;
- taking custody of, and properly documenting, prescription medications found at a scene;
- sealing the premises and safeguarding property in noncriminal investigations; and
- responding to the Colorado Department of Public Health and Environment and Colorado Department of Transportation when information is requested.

The bill also repeals a provision that allows a coroner to ask a physician to make a scientific examination of a body, and repeals the provision that allows a physician who is conducting a postmortem examination to remove the pituitary gland of a deceased person for purposes of medical research.

State Revenue and Expenditures

The bill is not expected to significantly impact state revenue or expenditures. The bill could increase state revenue from fines for petty offenses, although the amount is expected to be minimal. A coroner, or his or her designee, who fails to perform a forensic autopsy or who fails to have a forensic autopsy performed pursuant to the law commits second degree official misconduct, a class 1 petty offense. This fiscal note assumes that the 64 coroners in Colorado will comply with laws regulating the profession.

When a new offense is created there is potential for an increase in the courts' workload. This fiscal note assumes that the 64 coroners in Colorado will comply with laws regulating the profession. As a result, the number of new case filings is expected to be minimal and, therefore, absorbable within the Judicial Branch's existing resources.

Local Government Impact

The new duties for coroners identified on page 1 codify current practice, and, as such, are not expected to significantly impact county revenue or expenditures. Regarding the new offense created in the bill, the penalty for a class 1 petty offense is 0 to 6 months in a county jail, a fine of up to \$500, or both. It is assumed that the impact of this new petty offense will be minimal and will not create the need for additional county jail space.

Departments Contacted

Corrections
Judicial
Counties

Public Safety
Law
Municipalities

Human Services
Regulatory Agencies
Local Affairs