



Sub. H.B. 471*

127th General Assembly

(As Reported by H. State Government & Elections)

Reps. Setzer, Gibbs, Combs

BILL SUMMARY

- Specifies that certain records of a decedent relating to the criminal investigation of the decedent's death are not public records.
- Authorizes the coroner to hire local law enforcement officers as investigators, to use money in the coroner's laboratory fund for administration of the laboratory, and to dispose of dangerous drugs found at the scene of an investigation the coroner conducts, if the dangerous drugs are no longer needed for investigative or scientific purposes.

CONTENT AND OPERATION

Certain coroner's records not public records

Current law generally states that the records of the coroner made personally by the coroner or by anyone acting under the coroner's direction or supervision are public records. Certain of the coroner's records, however, are not public records. The bill also provides that the following coroner's records are not public records: (1) the records of a deceased individual that are confidential law enforcement investigatory records as defined in the Public Records Law and (2) laboratory reports generated from the analysis of physical evidence by the coroner's laboratory that is discoverable under Criminal Rule 16 (R.C. 313.10(A)(2)(e) and (f)).

The bill also specifies that the coroner of the county where the death was pronounced is responsible for the release of all public records relating to that death (R.C. 313.10(A)(1), (A)(2), (B), (C)(1), (D), and (E)(1)).

* This analysis was prepared before the report of the House State Government and Elections Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

Coroner's appointments

Current law authorizes the coroner to appoint as a deputy coroner, as a pathologist serving as a deputy coroner, or as a technician, stenographer, secretary, clerk, custodian, investigator, or other employee a person who is an associate of, or who is employed by, the coroner or a deputy coroner in the private practice of medicine in a partnership, professional association, or other medical business arrangement. The bill also allows the coroner to appoint, as an investigator, a deputy sheriff within the county or a law enforcement officer of a political subdivision located within the county. (R.C. 313.05(B).)

Use of money in the coroner's laboratory fund

Existing law requires that money derived from fees paid for examinations conducted by a coroner's laboratory be kept in a special fund, for the use of the coroner's laboratory. These funds must be used to purchase necessary supplies and equipment for the laboratory. The bill further allows these funds to be used to pay associated costs incurred in the administration of the laboratory at the coroner's discretion. (R.C. 313.16.)

Disposition of controlled substances

The bill authorizes the coroner to secure, catalog, record, and, with the approval of the prosecuting attorney, destroy any dangerous drugs found at the scene of an investigation the coroner conducts, if the dangerous drugs are no longer needed for investigative or scientific purposes (R.C. 313.211).

HISTORY

ACTION	DATE
Introduced	02-06-08
Reported, H. State Government & Elections	---

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