



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4054

by Rep. Dan Brady

SYNOPSIS AS INTRODUCED:

New Act

50 ILCS 705/1

from Ch. 85, par. 501

50 ILCS 705/10.11

55 ILCS 5/3-3001

from Ch. 34, par. 3-3001

410 ILCS 535/25.5

Creates the Coroner Training Board Act. Creates the Coroner Training Board which will have the power to establish application, training, and certification standards for coroners, and to review and approve annual training curriculum for coroners. Provides that the new Board will select and certify coroner training schools, shall conduct or approve a training program in death investigation for the training of coroners, and be allowed to accept contributions and gifts from any organization having a legitimate interest in coroner training. Amends the Illinois Police Training Act and the Counties Code removing the Illinois Law Enforcement Training Standards Board from overseeing coroner training and replacing with the Coroner Training Board. Amends the Vital Records Act providing that 25% of the Death Certificate Surcharge Fund may be used by the Coroner Training Board (currently the Illinois Law Enforcement Training Standards Board) for the purpose of training coroners, deputy coroners, and forensic pathologists, and police officers for death (currently homicide) investigations and lodging and travel expenses relating to training.

LRB099 09678 AWJ 29887 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Coroner Training Board Act.

6 Section 5. Definitions. As used in this Act:

7 "Board" means the Coroner Training Board.

8 "Coroner" means coroners and deputy coroners.

9 "Coroner training school" means any school located within
10 the State of Illinois whether privately or publicly owned which
11 offers a course in coroner training and has been approved by
12 the Board.

13 "Local governmental agency" means any local governmental
14 unit or municipal corporation in this State. It does not
15 include the State of Illinois or any office, officer,
16 department, division, bureau, board, commission, or agency of
17 the State.

18 Section 10. Board; composition; appointments; tenure;
19 vacancies. The Board shall be composed of 5 members who shall
20 be appointed by the Governor as follows: 2 coroners, one
21 pathologist from the Cook County Medical Examiner's Office, one
22 pathologist from a county other than Cook County, and one

1 citizen of Illinois who is not currently or was a coroner or
2 pathologist. The initial appointments by the Governor shall be
3 made on the first Monday of August in 2016 and the initial
4 appointments' terms shall be as follows: one coroner and one
5 pathologist shall be for a period of one year, the second
6 coroner and the second pathologist for 3 years, and the citizen
7 for a period of 3 years. Their successors shall be appointed in
8 like manner for terms to expire the first Monday of August each
9 3 years thereafter. All members shall serve until their
10 respective successors are appointed and qualify. Vacancies
11 shall be filled by the Governor for the unexpired terms.

12 Section 15. Initial board meeting; election of officers.
13 The initial meeting of the Board shall be held no later than
14 August 31, 2016. The Board shall elect from its number a
15 Chairman and Vice-Chairman, adopt rules of procedure, and shall
16 meet at least 4 times each year.

17 The Board may employ an Executive Director and other
18 necessary clerical and technical personnel. Special meetings
19 of the Board may be called at any time by the Chairman or upon
20 the request of any 2 members. The members of the Board shall
21 serve without compensation but shall be entitled to
22 reimbursement for their actual expenses in attending meetings
23 and in the performance of their duties hereunder from funds
24 appropriated for that purpose.

1 Section 20. Powers of the Board. The Board has the
2 following powers and duties:

3 (a) To require units of local governmental to furnish such
4 reports and information as the Board deems necessary to fully
5 implement this Act.

6 (b) To establish by rule appropriate mandatory minimum
7 standards relating to the training of coroners, including, but
8 not limited to, Part 1760 of Chapter V of Title 20 of the
9 Illinois Administrative Code.

10 (c) To provide appropriate certification to those coroners
11 who successfully complete the prescribed minimum standard
12 basic training course.

13 (d) To review and approve annual training curriculum for
14 coroners.

15 (e) To review and approve applicants to ensure no applicant
16 is admitted to a coroner training school unless the applicant
17 is a person of good character and has not been convicted of a
18 felony offense, any of the misdemeanors in Sections 11-1.50,
19 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1, 17-1,
20 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the
21 Criminal Code of 1961 or the Criminal Code of 2012, subdivision
22 (a) (1) or (a) (2) (C) of Section 11-14.3 of the Criminal Code of
23 1961 or the Criminal Code of 2012, or subsection (a) of Section
24 17-32 of the Criminal Code of 1961 or the Criminal Code of
25 2012, or Section 5 or 5.2 of the Cannabis Control Act, or a
26 crime involving moral turpitude under the laws of this State or

1 any other state which if committed in this State would be
2 punishable as a felony or a crime of moral turpitude. The Board
3 may appoint investigators who shall enforce the duties
4 conferred upon the Board by this Act.

5 Section 25. Selection and certification of schools. The
6 Board shall select and certify coroner training schools within
7 the State of Illinois for the purpose of providing basic
8 training for coroners and of providing advanced or in-service
9 training for coroners, which schools may be either publicly or
10 privately owned and operated.

11 Section 30. Training; death investigation. The Board shall
12 conduct or approve a training program in death investigation
13 for the training of coroners. Only coroners who successfully
14 complete the training program may be assigned in coroner's
15 investigations. Satisfactory completion of the training
16 program shall be evidenced by a certificate issued to the
17 coroner by the Board.

18 Section 35. Acceptance of contributions and gifts. The
19 Board may accept contributions, capital grants, gifts,
20 donations, services or other financial assistance from any
21 individual, association, corporation, the United States of
22 America and any of its agencies or instrumentalities, or any
23 other organization having a legitimate interest in coroner

1 training.

2 Section 40. The Illinois Police Training Act is amended by
3 changing Sections 1 and 10.11 as follows:

4 (50 ILCS 705/1) (from Ch. 85, par. 501)

5 Sec. 1. It is hereby declared as a matter of legislative
6 determination that in order to promote and protect citizen
7 health, safety and welfare, it is necessary and in the public
8 interest to provide for the creation of the Illinois Law
9 Enforcement Training Standards Board for the purpose of
10 encouraging and aiding municipalities, counties, park
11 districts, State controlled universities, colleges, and public
12 community colleges, and other local governmental agencies of
13 this State and participating State agencies in their efforts to
14 raise the level of law enforcement by upgrading and maintaining
15 a high level of training and standards for law enforcement
16 executives and officers, county corrections officers,
17 sheriffs, ~~county coroners,~~ and law enforcement support
18 personnel under this Act. It is declared to be the
19 responsibility of the board to ensure the required
20 participation of the pertinent local governmental units in the
21 programs established under this Act, to encourage the voluntary
22 participation of other local governmental units and
23 participating State agencies, to set standards, develop and
24 provide quality training and education, and to aid in the

1 establishment of adequate training facilities.

2 (Source: P.A. 88-586, eff. 8-12-94.)

3 (50 ILCS 705/10.11)

4 Sec. 10.11. Training; death and homicide investigation.

5 The Illinois Law Enforcement Training and Standards Board shall
6 conduct or approve a training program in death and homicide
7 investigation for the training of law enforcement officers of
8 local government agencies ~~and coroners~~. Only law enforcement
9 officers ~~and coroners~~ who successfully complete the training
10 program may be assigned as lead investigators in death and
11 homicide investigations ~~and coroner's investigations,~~
12 ~~respectively~~. Satisfactory completion of the training program
13 shall be evidenced by a certificate issued to the law
14 enforcement officer or coroner by the Illinois Law Enforcement
15 Training and Standards Board.

16 The Illinois Law Enforcement Training and Standards Board
17 shall develop a process for waiver applications sent by a local
18 law enforcement agency administrator ~~or from a coroner's office~~
19 for those officers ~~or coroners~~ whose prior training and
20 experience as homicide investigators may qualify them for a
21 waiver. The Board may issue a waiver at its discretion, based
22 solely on the prior training and experience of an officer ~~or a~~
23 ~~coroner~~ as a homicide investigator. ~~This Section does not~~
24 ~~affect or impede the powers of the office of the coroner to~~
25 ~~investigate all deaths as provided in Division 3.3 of the~~

1 ~~Counties Code.~~

2 (Source: P.A. 96-1111, eff. 1-1-12; 97-553, eff. 1-1-12;
3 97-1009, eff. 1-1-13.)

4 Section 45. The Counties Code is amended by changing
5 Section 3-3001 as follows:

6 (55 ILCS 5/3-3001) (from Ch. 34, par. 3-3001)

7 Sec. 3-3001. Commission; training; duties performed by
8 other county officer.

9 (a) Every coroner shall be commissioned by the Governor,
10 but no commission shall issue except upon the certificate of
11 the county clerk of the proper county of the due election or
12 appointment of the coroner and that the coroner has filed his
13 or her bond and taken the oath of office as provided in this
14 Division.

15 (b) (1) Within 30 days of assuming office, a coroner
16 elected to that office for the first time shall apply for
17 admission to the Coroner Training Board ~~Illinois Law~~
18 ~~Enforcement Training Standards Board~~ coroners training
19 program. Completion of the training program shall be within
20 6 months of application. Any coroner may direct the chief
21 deputy coroner or a deputy coroner, or both, to attend the
22 training program, provided the coroner has completed the
23 training program. Satisfactory completion of the program
24 shall be evidenced by a certificate issued to the coroner

1 by the Coroner Training Board ~~Illinois Law Enforcement~~
2 ~~Training Standards Board~~. All coroners shall complete the
3 training program at least once while serving as coroner.

4 (2) In developing the coroner training program, the
5 Coroner Training Board ~~Illinois Law Enforcement Training~~
6 ~~Standards Board~~ shall consult with the Illinois Coroners
7 and Medical Examiners Association or other organization as
8 approved by the Coroner Training Board ~~and the Illinois~~
9 ~~Necropsy Board~~.

10 (3) The Coroner Training Board ~~Illinois Law~~
11 ~~Enforcement Training Standards Board~~ shall notify the
12 proper county board of the failure by a coroner to
13 successfully complete this training program.

14 (c) Every coroner shall attend at least 24 hours of
15 accredited continuing education for coroners in each calendar
16 year.

17 (d) In all counties that provide by resolution for the
18 elimination of the office of coroner pursuant to a referendum,
19 the resolution may also provide, as part of the same
20 proposition, that the duties of the coroner be taken over by
21 another county officer specified by the resolution and
22 proposition.

23 (Source: P.A. 87-255; 88-586, eff. 8-12-94.)

24 Section 50. The Vital Records Act is amended by changing
25 Section 25.5 as follows:

1 (410 ILCS 535/25.5)

2 Sec. 25.5. Death Certificate Surcharge Fund. The
3 additional \$2 fee for certified copies of death certificates
4 and fetal death certificates must be deposited into the Death
5 Certificate Surcharge Fund, a special fund created in the State
6 treasury. Beginning 30 days after the effective date of this
7 amendatory Act of the 92nd General Assembly and until January
8 1, 2003 and then beginning again on July 1, 2003 and until July
9 1, 2005, moneys in the Fund, subject to appropriation, may be
10 used by the Department for the purpose of implementing an
11 electronic reporting system for death registrations as
12 provided in Section 18.5 of this Act. Before the effective date
13 of this amendatory Act of the 92nd General Assembly, on and
14 after January 1, 2003 and until July 1, 2003, and on and after
15 July 1, 2005, moneys in the Fund, subject to appropriations,
16 may be used as follows: (i) 25% by the Coroner Training Board
17 ~~Illinois Law Enforcement Training Standards Board~~ for the
18 purpose of training coroners, deputy coroners, forensic
19 pathologists, and police officers for death ~~homicide~~
20 investigations and lodging and travel expenses relating to
21 training, (ii) 25% for grants by the Department of Public
22 Health for distribution to all local county coroners and
23 medical examiners or officials charged with the duties set
24 forth under Division 3-3 of the Counties Code, who have a
25 different title, for equipment and lab facilities, (iii) 25% by

1 the Department of Public Health for the purpose of setting up a
2 statewide database of death certificates and implementing an
3 electronic reporting system for death registrations pursuant
4 to Section 18.5, and (iv) 25% for a grant by the Department of
5 Public Health to local registrars.

6 (Source: P.A. 92-16, eff. 6-28-01; 92-141, eff. 7-24-01; 93-45,
7 7-1-03.)