

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1113
91ST GENERAL ASSEMBLY

Reported from the Committee on Local Government and Economic Development, February 26, 2002, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4486S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 58.260, 58.270, 58.310, 58.330, 58.340 and 58.360, RSMo, relating to coroners, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 58.260, 58.270, 58.310, 58.330, 58.340 and 58.360, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 58.260, 58.270, 58.310, 58.330, 58.340 and 58.360, to read as follows:

58.260. Every coroner, [so soon as he shall be notified] **having been notified** of the dead body of any person, supposed to have come to his death by violence or casualty, being found within his county, [shall] **may** make out his warrant, directed to the sheriff of the county where the dead body is found, requiring him forthwith to summon a jury of six good and lawful citizens of the county, to appear before such coroner, at the time and place in his warrant expressed, and to inquire[, upon a view of the body of the person there lying dead,] how and by whom he came to his death.

58.270. The sheriff to whom such warrant shall be directed shall forthwith execute the same, and shall repair to the place where [the dead body is,] **the inquest is to be held** at the time mentioned, and make return of the warrant, with his proceedings thereon, to the coroner who granted the same.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

58.310. As soon as the jury shall be sworn, the coroner shall give them a charge, upon their oaths, to declare of the death of the person, whether he died by felony or accident; and if of felony, who were the principals and who were accessories, **and if the act was justified**, and all the material circumstances relating thereto; and if by accident, whether by the act of man, and the manner thereof, and who was present, and who was the finder of the body, and whether he was killed in the same place where the body was found, and, if elsewhere, by whom, and how the body was brought there, and all other circumstances relating to the death; and if he died of his own act, then the manner and means thereof, and the circumstances relating thereto.

58.330. Every coroner shall be empowered to issue his summons for witnesses, **and such evidence, documents and materials of substance**, commanding them to come before him to be examined, and to declare their knowledge concerning the matter in question.

58.340. He shall administer to them an oath or affirmation in form as follows:

You do swear (or affirm) that the evidence you shall give to the inquest, concerning the death of the person here [lying] dead, shall be the truth, the whole truth, and nothing but the truth.

58.360. The jury, having viewed the body **by photographic, electronic or other means**, heard the evidence, and made all the inquiry in their power, shall draw up and deliver to the coroner their verdict upon the death under consideration, in writing under their hand, and the same shall be signed by the coroner.

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