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HOUSE BILL 2398

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Sterk, Ogden, Boldt, Brown and Dellwo

Read first time 01/10/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the appointment of a medical examiner in more  
2 populous counties; amending RCW 36.16.030; and adding a new section to  
3 chapter 36.24 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 36.16.030 and 1991 c 363 ss 46, 47 are each amended to  
6 read as follows:

7 Except as provided elsewhere in this section, in every county there  
8 shall be elected from among the qualified voters of the county a county  
9 assessor, a county auditor, a county clerk, a county coroner, three  
10 county commissioners, a county prosecuting attorney, a county sheriff  
11 and a county treasurer, except that in each county with a population of  
12 less than forty thousand no coroner shall be elected and the  
13 prosecuting attorney shall be ex officio coroner. Whenever the  
14 population of a county increases to forty thousand or more, the  
15 prosecuting attorney shall continue as ex officio coroner until a  
16 coroner is elected, at the next general election at which the office of  
17 prosecuting attorney normally would be elected, and assumes office as  
18 provided in RCW 29.04.170. In any county where the population has once  
19 attained forty thousand people and a current coroner is in office and

1 a subsequent census indicates less than forty thousand people, the  
2 county legislative authority may maintain the office of coroner by  
3 resolution or ordinance. If the county legislative authority has not  
4 passed a resolution or enacted an ordinance to maintain the office of  
5 coroner, the elected coroner shall remain in office for the remainder  
6 of the term for which he or she was elected, but no coroner shall be  
7 elected at the next election at which that office would otherwise be  
8 filled and the prosecuting attorney shall be the ex officio coroner.  
9 In a county with a population of two hundred fifty thousand or more,  
10 the county legislative authority may replace the office of coroner with  
11 a medical examiner system and appoint a medical examiner as specified  
12 in section 2 of this act. A noncharter county may have five county  
13 commissioners as provided in RCW 36.32.010 and 36.32.055 through  
14 36.32.0558.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.24 RCW  
16 to read as follows:

17 In a county with a population of two hundred fifty thousand or  
18 more, the county legislative authority may, upon majority vote at an  
19 election called by the county legislative authority, adopt a system  
20 under which a medical examiner may be appointed to replace the office  
21 of the coroner. The county legislative authority must adopt a  
22 resolution or ordinance that creates the office of medical examiner at  
23 least thirty days prior to the first day of filing for the primary  
24 election for county offices. If a county adopts such a resolution or  
25 ordinance, the resolution or ordinance shall be referred to the voters  
26 for confirmation or rejection at the next date for a special election  
27 that is more than forty-five days from the date the resolution or  
28 ordinance was adopted. If the resolution or ordinance is approved by  
29 majority vote, no election shall be held for the position of coroner  
30 and the coroner's position is abolished following the expiration of the  
31 coroner's term of office or upon vacating of the office of the coroner  
32 for any reason. The county legislative authority shall appoint a  
33 medical examiner to assume the statutory duties performed by the county  
34 coroner and the appointment shall become effective following the  
35 expiration of the coroner's term of office or upon the vacating of the  
36 office of the coroner. To be appointed as a medical examiner pursuant  
37 to this section, a person must either be: (1) Certified as a forensic  
38 pathologist by the American board of pathology; or (2) a qualified

1 physician eligible to take the American board of pathology exam in  
2 forensic pathology within one year of being appointed. A physician  
3 specializing in pathology who is appointed to the position of medical  
4 examiner and who is not certified as a forensic pathologist must pass  
5 the pathology exam within three years of the appointment.

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