

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 754
HOUSE BILL 495

AN ACT TO AMEND CHAPTER 152 OF THE GENERAL STATUTES
PERTAINING TO CORONERS, AUTHORIZING AN ASSISTANT CORONER
AND REGULATING THEIR FEES IN RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Section 1. Chapter 152 of the General Statutes, as the same appears in the 1964 Replacement Volume 3C, is amended as follows:

(1) G. S. 152-1 is amended by designating the present Section as subsection "(a)" and adding a new subsection "(b)" to read as follows:

"(b) The holder of the office of coroner elected and qualified under the provisions of subsection (a) is authorized to appoint not more than two persons to the office of assistant coroner to hold office for the duration of the term of office of the coroner making the appointment, and, upon a vacancy in the office of coroner arising from the death of the coroner, or otherwise according to law, to hold office until their successors may be appointed and qualified. The provisions of the third paragraph of subsection (a) shall not apply where one or more assistant coroners may be available to perform the duties of the coroner upon his absence from the county or, if for any other reason, the coroner shall be unable to act. Any assistant coroner appointed and holding office as assistant coroner under the provisions of this subsection shall discharge the duties of the office under the supervision, control, and at the direction, from time to time, of the coroner."

(2) G. S. 152-2 is amended by adding after "coroner," in line 1, "and assistant coroner,".

(3) G. S. 152-3 is amended by adding after "coroner" in line 1, "and assistant coroner".

(4) G. S. 152-4 is amended by adding after "coroners" in line 2, "and assistant coroners".

(5) G. S. 152-5 is amended by rewriting the same to read as follows:

"G. S. 152-5. Fees of Coroners and Assistant Coroners; Burial of Paupers; Assistance of Medical Doctors. (a) The board of county commissioners is hereby authorized to fix the amount of the fees to be allowed coroners and assistant coroners, and to approve the amount and payment of each such fee, together with the necessary and reasonable expenses of the coroner or assistant coroner, but the fee, exclusive of reasonable and necessary expenses, shall not be less than twenty-five dollars (\$25.00), nor more than fifty dollars (\$50.00), for each death in which the coroner or assistant

coroner may be required to discharge any of his duties of office." (Notwithstanding the provisions of Section 5 of this Act, the effective date of subsection (a) shall be the first Monday in December, 1966. Pending the effective date of subsection (a), the coroner and assistant coroners shall be compensated for their services on a fee basis as presently provided by applicable law for coroners.)

"(b) In any case not covered by the provisions of subsection (a), or arising before the effective date of subsection (a), coroners shall be compensated according to the lawful provisions of any local and special Act in force with respect to the county of office; and assistant coroners shall be compensated on a fee basis with the fees the same as may be provided by law for coroners. In the absence of any local and special Act, coroners and assistant coroners shall be allowed the same fees as sheriffs in similar cases: a fee of five dollars (\$5.00) for the first and each additional day while engaged in holding inquests over a dead body, all necessary and actual burial expenses of any pauper over whom an inquest has been held, and in all such cases of pauper burial expenses, the said expenses must be approved by the board of county commissioners. All fees and expenses provided for coroners and assistant coroners under the provisions of this Section shall be paid by the county.

"(c) Where any coroner, assistant coroner, or member of a coroner's jury shall deem it necessary to the better investigation of the cause or manner of a particular death, it shall be the duty of the coroner to summon a medical doctor, who shall be paid for his attendance and services not less than the sum of ten dollars (\$10.00), and such further sum as the county commissioners may deem reasonable."

(6) G. S. 152-6 is amended by adding after "special coroner" in lines 1 and 2, "or any assistant coroner".

(7) G. S. 152-7 is amended by designating the present Section as subsection "(a)" and adding a new subsection "(b)" to read as follows:

"(b) Wherever in subsection (a) the word 'coroners' may appear, the same shall be interpreted as including 'assistant coroners', and where the word 'coroner' may appear, the same shall be interpreted to include 'assistant coroner'."

(8) G. S. 152-8 is amended by designating the present Section as subsection "(a)" and adding a new subsection "(b)" to read as follows:

"(b) Any assistant coroner in office under the provisions of G. S. 152-1(b) shall not be subject to the provisions of subsection (a), nor the duties therein imposed upon the coroner or special coroner."

(9) G. S. 152-9 is amended as follows:

1. In line 2 after "coroner", add "or assistant coroner".

2. In line 5 after "coroners", add "and assistant coroners".

(10) G. S. 152-10 is hereby amended by adding after "coroner" where the same appears in lines 1, 6 and 7 of said Section, "or assistant coroner".

(11) G. S. 152-11 is amended by adding after the word "coroner" in lines 3, 7 and 11 of said Section, the words "or assistant coroner".

Sec. 2. No coroner or assistant coroner shall be liable to any person, or to the estate of any person, for ordering or participating in an autopsy when, in the opinion of the coroner, the same appears to be, in good faith, necessary.

Sec. 3. This Act shall apply only to Randolph County.

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 1st day of June, 1965.