

HOUSE BILL NO. HB0181

Coroner's inquest-amendments.

Sponsored by: Representative(s) Oakley, Clouston, Larson, JT, Lawley, Niemiec, Stith and Wylie and Senator(s) Barlow, Cooper, Landen and Nethercott

A BILL

for

1 AN ACT relating to inquests; repealing coroner authority to
2 hold inquests; making conforming amendments; repealing
3 conflicting provisions; specifying applicability; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 7-4-201(d) and (e), 7-4-209(a),
9 30-2-212(a) and 35-1-418(c) are amended to read:

10

11

ARTICLE 2

12

INVESTIGATIONS

13

1 **7-4-201. Reports of death; investigation; summoning**
2 **of jurors; fees and costs; inspection of medical records.**

3
4 (d) If a coroner determines the injuries which caused
5 the person's death were received in a county other than
6 that in which the body was found, he shall transfer
7 authority for the investigation ~~and inquest~~ to the coroner
8 for that county.

9
10 (e) The expense and costs of conducting the
11 investigation ~~or holding the inquest~~ shall be paid by the
12 county in which the injuries were received. The accounts
13 of the claimants shall be attested by the coroner or acting
14 coroner, and shall be presented in duplicate to the board
15 of county commissioners of the proper county. If the board
16 of county commissioners finds that ~~the inquest was~~
17 ~~necessary and in accordance with law, and~~ the accounts are
18 correct and just, the accounts shall be paid in warrants
19 properly drawn upon the order of the county commissioners.

20
21 **7-4-209. Postmortem examination; liability**
22 **limitation.**

23

1 (a) When ~~an inquisition is being held~~ conducting an
2 investigation, if the coroner ~~or the jury~~ shall deem it
3 requisite, he may summon one (1) or more physicians or
4 surgeons, to make an autopsy or postmortem examination.

5

6 **30-2-212. Accident investigation; fatal accidents;**
7 **procedure.**

8

9 (a) The inspector, or his deputy when authorized,
10 shall investigate all fatal accidents occurring in
11 connection with mining operations. In his investigation he
12 may compel the attendance of witnesses and administer oaths
13 as ~~if he were a coroner~~ to each witness as follows: "You do
14 solemnly swear (or affirm) that the testimony which you
15 shall give to this investigation concerning the death of
16 the person about whom this investigation is being held,
17 shall be the truth, the whole truth and nothing but the
18 truth, so help you God." The inspector shall ensure that
19 all testimony in an investigation shall be recorded. The
20 compensation of the court reporter or of the person
21 transcribing the audio tape shall be as prescribed by the
22 department of workforce services. Unless specifically
23 requested by the inspector or district attorney, audio

1 recordings need not be transcribed. The inspector may
2 issue subpoenas and compel the attendance of witnesses to
3 testify at the investigation. Witnesses shall be allowed
4 the same fees as in cases before a circuit court, and the
5 inspector shall have the same authority to enforce the
6 attendance of witnesses and to punish for contempt as
7 provided by W.S. 1-21-901 through 1-21-909.

8
9 **35-1-418. Death registration.**

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11 (c) The medical certification shall be completed and
12 signed within a reasonable time after death by the primary
13 health care provider in charge of the patient's care for
14 the illness or condition which resulted in death, except
15 when inquiry is required by the postmortem examination. If
16 the death occurred without medical attendance or if the
17 primary health care provider last in attendance refuses or
18 for any reason fails to sign the certificate immediately,
19 the funeral director or person acting as funeral director
20 shall notify the appropriate local registrar. In that event
21 the local registrar shall inform the local health officer
22 and refer the case to him for immediate investigation and
23 certification of cause of death prior to issuing a permit

1 for burial, cremation or other disposition of the body. If
2 the circumstances of the case suggest that the death was
3 caused by other than natural causes, the local registrar
4 shall refer the case to the coroner for investigation and
5 certification. The coroner shall examine the body and
6 consider the history of the case, and obtain the assistance
7 and advice of a competent physician who will assist the
8 coroner in determining the cause of death by examination of
9 the body, autopsy, ~~inquest~~ or other procedure determined
10 necessary. The nonmedical coroner shall not diagnose the
11 cause of death without the assistance and advice of a
12 competent physician, advanced practice registered nurse or
13 physician assistant. The coroner or local health officer
14 shall complete and sign the medical certification within a
15 reasonable time after taking charge of the case.

16

17 **Section 2.** W.S. 1-24-101(a)(iii), 7-4-201(b)(iv) and
18 (c), 7-4-202 through 7-4-206, 9-1-804(a)(v) and 30-2-212(b)
19 and (c) are repealed.

20

21 **Section 3.** This act shall apply to all deaths
22 occurring on and after July 1, 2024.

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1 **Section 4.** This act is effective July 1, 2024.

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(END)