

2024 Regular Session

SENATE BILL NO. 452

BY SENATORS MCMATH, MIZELL, OWEN AND WHEAT AND REPRESENTATIVE
CARVER

CORONERS. Provides relative to the coroner of St. Tammany Parish. (gov sig)

1 AN ACT

2 To enact Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 13:5771 through 5773, and to repeal R.S. 13:5726, relative to the
4 coroner of St. Tammany Parish; to provide for qualifications for the St. Tammany
5 Parish coroner; to provide for duties of the St. Tammany Parish coroner; to provide
6 for oversight by the St. Tammany Parish Council; to provide for the collection and
7 distribution of funds designated for the St. Tammany Parish coroner's office; to
8 provide for an effective date; and to provide for related matters.

9 Notice of intention to introduce this Act has been published.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part VI of Chapter 36 of Title 13 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 13:5771 through 5773, is hereby enacted to read as follows:

13 **PART VI. ST. TAMMANY PARISH**

14 **§5771. St. Tammany Parish coroner; qualifications**

15 **A. In addition to the qualifications provided for in R.S. 13:5704, in St.**
16 **Tammany Parish, all of the following shall be satisfied in order to serve as**
17 **coroner:**

1 **(1) Be a citizen of the United States.**

2 **(2) Be at least twenty-one years of age.**

3 **(3) Be of good moral and ethical character and temperate habits.**

4 **(4) Not be declared by any court of competent jurisdiction incompetent**
5 **by reason of mental defect or disease which has not been restored.**

6 **(5) Not have been convicted in any jurisdiction of any aggravated offense**
7 **as defined in R.S. 15:541, criminal offense against a victim who is a minor as**
8 **defined in R.S. 15:541, sex offense as defined in R.S. 15:541, or sexual offense**
9 **against a victim who is a minor as defined in R.S. 15:541.**

10 **B. Prior to qualifying for an election for coroner in St. Tammany Parish,**
11 **a person shall certify, under oath, that he satisfies the criteria set forth in**
12 **Subsection A of this Section and shall submit the results of a criminal history**
13 **record information obtained from the Louisiana Bureau of Criminal**
14 **Identification and Information of the office of state police within the**
15 **Department of Public Safety and Corrections. The attestation and criminal**
16 **history record information shall be presented to the St. Tammany Parish Clerk**
17 **of Court to verify eligibility to be a candidate for coroner.**

18 **§5772. St. Tammany Parish coroner; duties; accountability**

19 **A. In addition to the duties provided for in R.S. 13:5713, the coroner in**
20 **St. Tammany Parish shall maintain records to account for his time, work**
21 **product, and expenditures and submit the data to the parish council in a**
22 **manner and frequency prescribed by the council.**

23 **B. If the council finds that, after being elected, it is determined that the**
24 **coroner is not in compliance with the qualifications set forth in R.S. 13:5771, the**
25 **council may take any action allowable by law to remove the coroner, including**
26 **but not limited to an action for malfeasance in office. Nothing in this Subsection**
27 **shall be construed to prohibit a recall election pursuant to R.S. 18:1300.1 et seq.**

28 **§5773. St. Tammany Parish; coroner; ad valorem tax; compensation of coroner**

29 **and employees**

1 A.(1) The sheriff of St. Tammany Parish shall collect and transfer to the
2 governing authority of St. Tammany Parish all tax revenues from the ad
3 valorem tax levied by St. Tammany Parish for coroner purposes and approved
4 by a majority of the electors of the parish at an election held for that purpose
5 on November 2, 2004, including any extensions or renewals.

6 (2) The St. Tammany Parish coroner's office shall transfer all funds on
7 hand received from the ad valorem tax to the governing authority of St.
8 Tammany Parish, less and except amounts needed for operation for the
9 remainder of calendar year 2024, with the amount being determined by the St.
10 Tammany Parish Department of Finance.

11 B. The revenues transferred to the governing authority pursuant to
12 Subsection A of this Section shall be deposited into a special account and
13 expended solely for the purposes set forth in the ad valorem tax proposition
14 approved by the voters on November 2, 2004, less and except St. Tammany
15 Parish's administrative fees, costs associated with administration of the ad
16 valorem tax levied, St. Tammany Parish's costs associated with oversight of the
17 St. Tammany Parish coroner's office, and amounts necessary to service bonds
18 or other debt obligations secured by the ad valorem tax. St. Tammany Parish
19 shall be considered to have fully and completely met its obligations to fund the
20 St. Tammany Parish coroner's office as set forth in R.S. 13:5706 and 5710 for
21 the life of the ad valorem tax. Until the expiration of the ad valorem tax, and
22 notwithstanding any provisions of law to the contrary, St. Tammany Parish
23 shall not be obligated to pay any other fee or cost and all obligations to the
24 coroner are limited as provided for in this Subsection.

25 C.(1) All salaries or fees associated with the operation of the coroner's
26 office shall be funded and paid from revenues collected pursuant to Subsection
27 A of this Section.

28 (2) An annual salary shall be established by the governing authority of
29 the parish of St. Tammany to be paid to the coroner in lieu of all fees for his

1 services as parish coroner, ex officio parish physician, or health officer. The
2 salary shall be the average of the salaries of the St. Tammany Parish sheriff,
3 assessor, and clerk.

4 (3) The coroner shall establish an annual salary for the deputy or
5 assistant coroners, secretaries, stenographers, clerks, technicians, investigators,
6 official photographers, or other employees.

7 D. The office of the coroner of St. Tammany Parish shall not own or
8 acquire immovable property. Any and all immovable property, including
9 buildings, component parts and other appurtenances, previously owned by St.
10 Tammany Parish and transferred to the St. Tammany Parish coroner's office
11 shall be transferred to the governing authority of St. Tammany Parish free and
12 clear of all mortgages, liens, or other encumbrances within six months of the
13 effective date of this Section.

14 E. Within six months of the effective date of this Section, the governing
15 authority of St. Tammany Parish and the St. Tammany Parish coroner's office
16 shall enter into a restated cooperative endeavor agreement, including but not
17 limited to the following provisions:

18 (1) Requiring use of all tax revenues in strict conformity with the tax
19 proposition approved by the voters.

20 (2) Requiring compliance with public bid and procurement laws.

21 Section 2. R.S. 13:5726 is hereby repealed.

22 Section 3. This Act shall become effective upon signature by the governor or, if not
23 signed by the governor, upon expiration of the time for bills to become law without signature
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become
26 effective on the day following such approval.

The original instrument was prepared by Amanda Trapp. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

SB 452 Reengrossed

2024 Regular Session

McMath

Present law provides for qualifications and duties of coroners.

Proposed law adds additional qualifications and duties of the coroner of St. Tammany Parish.

Present law requires the sheriff of St. Tammany Parish to receive all tax revenues collected from ad valorem tax for coroner purposes and to deposit the revenues into a special account with the governing authority of St. Tammany Parish to be advanced to the coroner.

Proposed law repeals present law and requires the governing authority to receive the tax revenues and to deposit the revenues into a special account to be managed by the governing authority of St. Tammany Parish.

Proposed law requires the St. Tammany Parish coroner's office to transfer all funds on hand received from the tax to the governing authority of St. Tammany Parish, minus an amount determined by the St. Tammany Parish Department of Finance to allow for operations through calendar year 2024.

Present law requires the coroner to be responsible for all salaries and operational expenses of the St. Tammany Parish coroner's office.

Present law requires the coroner to receive a salary set by the governing authority of St. Tammany Parish and authorizes the coroner to set the salaries for his staff.

Proposed law retains present law but requires funding for salaries associated with the operation of the coroner's office to be paid from the special account.

Proposed law requires the governing authority of St. Tammany Parish and the St. Tammany Parish coroner's office to enter into a restated cooperative endeavor agreement that includes certain provisions provided in proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 13:5771-5773; repeals R.S. 13:5726)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Makes technical changes.
2. Deletes provision that authorizes the St. Tammany Parish Council to proceed with disciplinary action or assess fines against the coroner, if the council finds that the coroner is not acting in the best interests of the parish.

Senate Floor Amendments to engrossed bill

1. Technical legislative bureau amendments.