

SECOND REGULAR SESSION

# HOUSE BILL NO. 2002

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FARNEN AND NAEGER (Co-sponsors).

Read 1<sup>st</sup> time February 20, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4811L.011

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### AN ACT

To repeal sections 58.260, 58.270, 58.310, 58.330, 58.340, and 58.360, RSMo, and to enact in lieu thereof six new sections relating to coroners inquests.

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*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  
2 repealed and six new sections enacted in lieu thereof, to be known as sections 58.260, 58.270,  
3 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  
2 body of any person, supposed to have come to his **or her** death by violence or casualty, being  
3 found within his county, [shall] **may** make out his **or her** warrant, directed to the sheriff of the  
4 county where the dead body is found, requiring him **or her** forthwith to summon a jury of six  
5 good and lawful citizens of the county, to appear before such coroner, at the time and place in  
6 his **or her** warrant expressed, and to inquire[, upon a view of the body of the person there lying  
7 dead,] how and by whom he **or she** came to his **or her** death.

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

58.310. As soon as the jury shall be sworn, the coroner shall give them a charge, upon  
2 their oaths, to declare of the death of the person, whether he **or she** died by felony or accident;  
3 and if of felony, who were the principals and who were accessories, **and if the act was justified**,  
4 and all the material circumstances relating thereto; and if by accident, whether by the act of man,

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

5 and the manner thereof, and who was present, and who was the finder of the body, and whether  
6 he **or she** was killed in the same place where the body was found, and, if elsewhere, by whom,  
7 and how the body was brought there, and all other circumstances relating to the death; and if he  
8 **or she** died of his **or her** own act, then the manner and means thereof, and the circumstances  
9 relating thereto.

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

58.340. He **or she** shall administer to them an oath or affirmation in form as follows:  
2 You do swear (or affirm) that the evidence you shall give to the inquest, concerning the  
3 death of the person here [lying] dead, shall be the truth, the whole truth, and nothing but the  
4 truth.

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