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**SUBSTITUTE HOUSE BILL 2168**

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**State of Washington**

**53rd Legislature**

**1994 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Ogden, Carlson, Springer, H. Myers, Morris and L. Johnson)

Read first time 02/04/94.

1 AN ACT Relating to the election of county coroners; amending RCW  
2 36.16.030; adding a new section to chapter 36.24 RCW; and declaring an  
3 emergency.

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 Whenever the population of a noncharter county increases to two hundred  
10 twenty-five thousand or more, the office of coroner shall be combined  
11 with the office of county commissioner. The county legislative  
12 authority shall adopt a resolution or ordinance, at least thirty days  
13 prior to the first day of filing for the primary election for county  
14 offices, that transfers the duties of the office of coroner to the  
15 county legislative authority. The elected coroner shall remain in  
16 office for the remainder of the term for which he or she was elected,  
17 but no coroner shall be elected at the next election at which that  
18 office would otherwise be filled. The county legislative authority  
19 shall appoint a medical examiner before the expiration of the coroner's  
20 term of office. To be appointed as a medical examiner pursuant to this  
21 section, a person must either be: (1) Certified as a forensic  
22 pathologist by the American board of pathology; or (2) a qualified  
23 physician eligible to take the American board of pathology exam in  
24 forensic pathology within one year of being appointed. A physician who  
25 is appointed to the position of medical examiner and who is not  
26 certified as a forensic pathologist must pass the pathology exam within  
27 three years of the appointment. A noncharter county may have five  
28 county commissioners as provided in RCW 36.32.010 and 36.32.055 through  
29 36.32.0558.

30 NEW SECTION. Sec. 2. A new section is added to chapter 36.24 RCW  
31 to read as follows:

32 Whenever the population of a noncharter county increases to two  
33 hundred twenty-five thousand or more, the office of coroner shall be  
34 combined with the office of county commissioner. The county  
35 legislative authority shall adopt a resolution or ordinance, at least  
36 thirty days prior to the first day of filing for the primary election  
37 for county offices, that transfers the duties of the office of coroner  
38 to the county legislative authority. The elected coroner shall remain

1 in office for the remainder of the term for which he or she was  
2 elected, but no coroner shall be elected at the next election at which  
3 that office would otherwise be filled. The county legislative  
4 authority shall appoint a medical examiner before the expiration of the  
5 coroner's term of office. To be appointed as a medical examiner  
6 pursuant to this section, a person must either be: (1) Certified as a  
7 forensic pathologist by the American board of pathology; or (2) a  
8 qualified physician eligible to take the American board of pathology  
9 exam in forensic pathology within one year of being appointed. A  
10 physician who is appointed to the position of medical examiner and who  
11 is not certified as a forensic pathologist must pass the pathology exam  
12 within three years of the appointment.

13 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of the  
15 state government and its existing public institutions, and shall take  
16 effect immediately.

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