

2005 ASSEMBLY BILL 46

January 27, 2005 – Introduced by Representatives UNDERHEIM, TOWNSEND, MUSSER and McCORMICK, cosponsored by Senator ROESSLER. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 59.35 (1) of the statutes; **relating to:** the number of deputy
2 coroners that may be appointed by a coroner and the appointment of a chief
3 deputy coroner.

Analysis by the Legislative Reference Bureau

Under current law, within ten days after taking office, a coroner may appoint up to six deputy coroners who are county residents. A person appointed deputy coroner for a regular term or to fill a vacancy holds office at the coroner's pleasure.

Under this bill, a coroner may appoint any number of persons deputy coroner and such persons need not be county residents. The bill also specifies that the coroner must appoint a county resident as the chief deputy coroner.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 59.35 (1) of the statutes is amended to read:
5 59.35 (1) Within 10 days after entering upon the duties of the office, the coroner
6 shall appoint some proper person, who is a resident of the county, chief deputy

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1 ~~coroner, and may appoint up to 6 proper persons, residents of the county, deputy~~
2 ~~coroner. The deputies shall reside in the county for which they are appointed as~~
3 ~~many other deputy coroners as the coroner considers proper.~~ The coroner may fill
4 vacancies in the office of any such appointees, and may appoint a person to take the
5 place of any deputy who becomes incapable of executing the duties of the office. A
6 person appointed deputy coroner for a regular term or to fill a vacancy or otherwise
7 shall hold office during the pleasure of the coroner. Every appointment of a deputy
8 coroner and every revocation of an appointment shall be in writing and filed and
9 recorded in the office of the clerk of the circuit court. In case of a vacancy in the office
10 of coroner, the chief deputy coroner shall in all things and with like liabilities and
11 penalties execute the duties of the office until the vacancy is filled as provided by law.

SECTION 2. Nonstatutory provisions.

12
13 (1) Notwithstanding the provisions of section 59.35 (1) of the statutes, as
14 affected by this act, and notwithstanding the provisions of SECTION 3 of this act, a
15 coroner who holds office on the effective date of this subsection may, at any time,
16 appoint as many other deputy coroners as the coroner considers proper and such
17 appointees shall serve at the pleasure of the coroner. No appointment may be made
18 under this subsection on or after the first Monday in January following the first
19 general election that is held after the effective date of this subsection.

SECTION 3. Initial applicability.

20
21 (1) This act first applies to a coroner who takes office on the effective date of
22 this subsection.

23 (END)