

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 26-0405.02 Renee Leone x2695

HOUSE BILL 26-1258

HOUSE SPONSORSHIP

Soper and Titone, Boesenecker, Duran, Espenosa, Garcia, Hamrick, Keltie, Lieder, Lindsay, Marshall, McCluskie, Nguyen

SENATE SPONSORSHIP

Roberts and Pelton R., Ball, Bridges, Coleman, Danielson, Gonzales J., Hinrichsen, Kipp, Kirkmeyer, Liston, Marchman, Pelton B., Rodriguez, Wallace

House Committees
Business Affairs & Labor

Senate Committees
Business, Labor, & Technology
Appropriations

A BILL FOR AN ACT

101 **CONCERNING DEATH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill makes changes to death-care related practices, including changes to:

- The practices of professionals licensed and establishments registered pursuant to the "Mortuary Science Code";
- The licensure options for professionals seeking licensure pursuant to the "Mortuary Science Code";
- The powers and duties of the director of the division of professions and occupations in connection with regulating

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
3rd Reading Unamended
April 30, 2026

SENATE
Amended 2nd Reading
April 29, 2026

HOUSE
3rd Reading Unamended
March 11, 2026

HOUSE
Amended 2nd Reading
March 10, 2026

professionals licensed and establishments registered pursuant to the "Mortuary Science Code";

- The provisions concerning nontransplant tissue banks and the discipline of a person that has an interest in a nontransplant tissue bank;
- The abuse of a corpse as a criminal offense in regard to transporting human remains;
- The timeline for regulatory review of certain death-care related entities and provisions; and
- The process by which a licensed individual initiates, completes, responds to, or files a death certificate.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-135-103, **amend**
3 (16) and (18); **add (1.6) and (1.8)**; and **recreate and reenact, with**
4 **amendments**, (10) as follows:

5 **12-135-103. Definitions - repeal.**

6 As used in this article 135, unless the context otherwise requires:

7 (1.6) "ARRANGEMENT", "ARRANGEMENTS", OR "FUNERAL
8 ARRANGEMENTS" MEANS:

9 (a) PLANNING THE DETAILS OF A FUNERAL CEREMONY OR
10 MEMORIAL SERVICE, INCLUDING PLANNING THE TIME OF SERVICE AND THE
11 TYPE OF CEREMONY OR SERVICE;

12 (b) OBTAINING THE NECESSARY INFORMATION FOR FILING A DEATH
13 CERTIFICATE;

14 (c) COMPARING OR DISCUSSING PRICES, INCLUDING THE PRICE OF
15 FUNERAL GOODS AND PRENEED CONTRACTS; OR

16 (d) PROVIDING ONSITE DIRECTION AND COORDINATION OF
17 PARTICIPANTS AND ONSITE DIRECTION, COORDINATION, AND FACILITATION
18 AT A FUNERAL CEREMONY OR MEMORIAL SERVICE.

19 (1.8) "BROKER" MEANS A PERSON THAT DOES NOT DIRECTLY

1 PROVIDE PREPARATION OF HUMAN REMAINS FOR FINAL DISPOSITION OR
2 FUNERAL SERVICES TO THE PUBLIC AND WHO PROVIDES FUNERAL SERVICES
3 EXCLUSIVELY THROUGH THE USE OF SUBCONTRACTORS.

4 (10) "DESIGNEE" MEANS AN INDIVIDUAL DESIGNATED BY A
5 FUNERAL ESTABLISHMENT REGISTERED IN ACCORDANCE WITH SECTION
6 12-135-110.

7 (16) "Funeral establishment" ~~"funeral home", or "mortuary"~~
8 means:

9 (a) An establishment that DIRECTLY holds, cares for, or prepares
10 human remains prior to final disposition, including a crematory or
11 embalming room; except that this subsection (16)(a) does not apply to
12 establishments in which individuals regularly die;

13 (b) An establishment that ~~holds itself out to the general public as~~
14 ~~providing~~ DIRECTLY PROVIDES funeral goods and FUNERAL services;

15 (c) ~~Facilities~~ A FACILITY used to hold, care for, or prepare human
16 remains prior to final disposition; except that this subsection (16)(c) does
17 not apply to facilities in which individuals regularly die; or

18 (d) An establishment that DIRECTLY provides funeral or memorial
19 services to the public for compensation.

20 (18) "Funeral services" means:

21 (a) Preparation of human remains for final disposition, INCLUDING
22 REFRIGERATION, EMBALMING, AND MEMORIAL SERVICES; except that this
23 subsection (18)(a) does not apply to cremation; OR

24 (b) Arrangement, Supervision or conduct of the funeral ceremony
25 or the final disposition of human remains. ~~or~~

26 (c) ~~Transportation of human remains to or from a funeral~~
27 ~~establishment.~~

1 **SECTION 2.** In Colorado Revised Statutes, 12-135-104, **amend**
2 (1); and **add** (3) and (4) as follows:

3 **12-135-104. Funeral establishment - subcontractor.**

4 (1) (a) A funeral establishment shall have the appropriate
5 equipment and personnel to adequately AND DIRECTLY provide the funeral
6 services it contracts to provide and shall provide written notice to the
7 consumer specifying any subcontractors or agents routinely handling or
8 caring for human remains.

9 (b) To comply WITH SUBSECTION (1)(a) OF THIS SECTION, the
10 notice must be given when the consumer inquires about the goods or
11 services the funeral establishment provides and must include the names
12 and addresses of the subcontractors, agents, or other providers; except
13 that, if the inquiry is over the telephone, the written notice must be
14 provided when the customer finalizes the arrangements for goods or
15 services with the funeral establishment.

16 (3) A FUNERAL ESTABLISHMENT MUST HAVE A PHYSICAL LOCATION
17 THAT:

18 (a) IS SUBJECT TO INSPECTION; AND

19 (b) INCLUDES AT LEAST ONE AREA THAT IS USED TO DIRECTLY
20 PROVIDE FUNERAL SERVICES.

21 (4) A BROKER DOES NOT QUALIFY FOR REGISTRATION AS A
22 FUNERAL ESTABLISHMENT.

23 **SECTION 3.** In Colorado Revised Statutes, 12-135-105, **amend**
24 (1)(e), (1)(g)(II), (1)(i) introductory portion, (1)(i)(I), (1)(i)(VIII),
25 (1)(i)(IX), (1)(n), (1)(o), and (1)(p); and **add** (1)(i)(X), (1)(i)(XI), (1)(u),
26 (1)(v), and (1)(w), (1)(x), (1)(y), and (1)(z) as follows:

27 **12-135-105. Unlawful acts.**

- 1 (1) It is unlawful:
- 2 (e) For a funeral director, mortuary science practitioner,
3 embalmer, CREMATIONIST, NATURAL REDUCTIONIST, funeral
4 establishment, or facility in which people regularly die or the person's or
5 facility's agent to engage in a business practice that interferes with the
6 freedom of choice of the general public to choose a funeral director,
7 mortuary science practitioner, embalmer, CREMATIONIST, NATURAL
8 REDUCTIONIST, or funeral establishment;
- 9 (g) To transport or otherwise transfer by common carrier human
10 remains unless:
- 11 (II) The transport or transfer is to a funeral establishment, funeral
12 director, ~~or~~ embalmer, CREMATIONIST, OR NATURAL REDUCTIONIST within
13 the state of Colorado;
- 14 (i) For a funeral director, mortuary science practitioner, ~~or~~
15 embalmer, CREMATIONIST, OR NATURAL REDUCTIONIST to admit or permit
16 any person to visit the embalming, cremation, or preparation room during
17 the time a body is being embalmed, cremated, or prepared for final
18 disposition, unless the person:
- 19 (I) Is a funeral director, mortuary science practitioner,
20 cremationist, NATURAL REDUCTIONIST, or embalmer;
- 21 (VIII) Is a technician representing a procurement organization as
22 defined in section 15-19-202 for purposes of an anatomical gift; ~~or~~
- 23 (IX) Is the director or the director's designee;
- 24 (X) IS PRACTICING UNDER AN ASSOCIATE LICENSE ISSUED
25 PURSUANT TO SECTION 12-135-501; OR
- 26 (XI) IS PRESENT WITH THE PERMISSION OF A LICENSEE TO ASSIST
27 IN THE NORMAL BUSINESS OPERATIONS OF THE FACILITY, THE LICENSEE IS

1 DIRECTLY RESPONSIBLE FOR THE PERSON'S ACTIVITIES AND ACTIONS, AND
2 THE PERSON AND THE LICENSEE TAKE ALL APPROPRIATE STEPS TO ENSURE
3 THE DIGNITY OF HUMAN REMAINS IS MAINTAINED.

4 (n) To engage in willfully dishonest conduct or commit
5 negligence in the practice of embalming, CREMATING, NATURALLY
6 REDUCING, funeral directing, or providing for final disposition that
7 defrauds or causes injury or is likely to defraud or cause injury;

8 (o) To fail to include in a contract for funeral services the
9 following statement: "~~FUNERAL HOMES AND CREMATORY~~
10 ~~ESTABLISHMENTS ARE REGULATED BY THE DEPARTMENT OF~~
11 ~~REGULATORY AGENCIES. TO FILE A COMPLAINT, CONTACT~~"
12 "FUNERAL ESTABLISHMENTS ARE REGULATED BY THE
13 DEPARTMENT OF REGULATORY AGENCIES. TO FILE A
14 COMPLAINT, CONTACT:", along with the current address, ~~or~~ telephone
15 number, OR EMAIL ADDRESS of the department;

16 (p) For a person owning ~~an indirect or a direct~~ AN interest in a
17 funeral establishment to own ~~an indirect~~ AN interest in a nontransplant
18 tissue bank, as defined in section 12-140-102 (3); ~~or to own a direct~~
19 ~~interest in a nontransplant tissue bank;~~

20 (u) TO COMMIT AN ACT THAT DOES NOT MEET THE GENERALLY
21 ACCEPTED STANDARDS OF MORTUARY SCIENCE OR TO FAIL TO PERFORM AN
22 ACT THAT IS REQUIRED TO MEET THE GENERALLY ACCEPTED STANDARDS
23 OF MORTUARY SCIENCE;

24 (v) TO FAIL TO INCLUDE THE LICENSE NUMBER OF THE DESIGNEE
25 OF THE FUNERAL ESTABLISHMENT IN ALL CONTRACTS FOR FUNERAL
26 SERVICES OR FUNERAL GOODS; ■

27 (w) TO FAIL TO PROPERLY SUPERVISE AN ASSOCIATE, LICENSED

1 PURSUANT TO SECTION 12-135-501 (7), WHO IS REQUIRED TO BE
2 PERFORMING TASKS UNDER THE SUPERVISION OF A LICENSED FUNERAL
3 DIRECTOR, MORTUARY SCIENCE PRACTITIONER, CREMATIONIST, NATURAL
4 REDUCTIONIST, OR EMBALMER PURSUANT TO SECTION 12-135-501 (8);

5 (x) TO CREMATE HUMAN REMAINS IN A FACILITY UNLESS THE
6 FACILITY IS REGISTERED PURSUANT TO SECTION 12-135-110;

7 (y) TO REFUSE TO ACCEPT HUMAN REMAINS THAT ARE NOT IN A
8 CASKET OR TO REQUIRE HUMAN REMAINS TO BE PLACED IN A CASKET AT
9 ANY TIME; OR

10 (z) TO ALLOW A CREMATIONIST OR ANY OTHER INDIVIDUAL
11 LICENSED PURSUANT TO THIS ARTICLE 135 TO PERFORM SERVICES BEYOND
12 THE INDIVIDUAL'S COMPETENCY, TRAINING, OR EDUCATION.

13 **SECTION 4.** In Colorado Revised Statutes, 12-135-107, **amend**
14 (4); and **add** (5) as follows:

15 **12-135-107. Consumer protection.**

16 (4) When quoting funeral prices, either orally, by use of a
17 disclosure statement, or by a final bill, the funeral establishment shall
18 only list those items as cash advances or accommodation items that are
19 paid for or could be paid for by the next of kin in the same amount that
20 is paid by the funeral ~~home~~ ESTABLISHMENT.

21 (5) A CONTRACT FOR FUNERAL SERVICES ENTERED INTO BY A
22 DESIGNEE MUST INCLUDE THE LICENSE NUMBER OF THE FUNERAL
23 DIRECTOR, CREMATIONIST, EMBALMER, MORTUARY SCIENCE
24 PRACTITIONER, OR NATURAL REDUCTIONIST.

25 **SECTION 5.** In Colorado Revised Statutes, 12-135-109, **amend**
26 (2)(b), (4) introductory portion, and (5) as follows:

27 **12-135-109. Exceptions - safe harbor.**

1 (2) (b) If human remains are refrigerated or embalmed under
2 subsection (2)(a) of this section, the body must be interred within, frozen
3 within, or cremated within ~~thirty~~ SIXTY days after death or the process of
4 natural reduction must begin within ~~thirty~~ SIXTY days after death; except
5 that the DIRECTOR OR A coroner WHO DOES NOT HAVE AN INTEREST IN THE
6 BUSINESS OF THE FUNERAL ESTABLISHMENT may authorize otherwise in
7 writing. The DIRECTOR OR coroner shall not permit an exception to this
8 subsection (2)(b) unless the applicant SEEKING THE EXCEPTION can
9 demonstrate a legitimate delay caused by unforeseen, uncontrollable
10 circumstances or by a criminal investigation.

11 (4) If a funeral director, mortuary science practitioner, ~~or~~
12 embalmer, CREMATIONIST, NATURAL REDUCTIONIST, OR FUNERAL
13 ESTABLISHMENT has acted in good faith, the funeral director, mortuary
14 science practitioner, ~~or~~ embalmer, CREMATIONIST, NATURAL
15 REDUCTIONIST, OR FUNERAL ESTABLISHMENT may rely on a signed
16 statement from a person with the right of final disposition under section
17 15-19-106 that:

18 (5) (a) (I) A funeral establishment, funeral director,
19 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, or mortuary science
20 practitioner may dispose of cremated ~~or naturally reduced~~ remains AT THE
21 DISCRETION OF THE FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
22 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY
23 SCIENCE PRACTITIONER AND at the expense of the person with the right of
24 final disposition ~~one hundred eighty days after cremation or natural~~
25 ~~reduction if the person was given clear prior notice of this subsection~~
26 ~~(5)(a) and a reasonable opportunity to collect the remains, the exact~~
27 ~~location of the final disposition and the costs associated with the final~~

1 ~~disposition are recorded, and the recovery of the remains is possible.~~
2 ~~Recovery of costs is limited to a reasonable amount of the costs actually~~
3 ~~expended by the funeral establishment, funeral director, or mortuary~~
4 ~~science practitioner.~~ YEAR AFTER CREMATION IF:

5 (A) THE PERSON WAS GIVEN CLEAR PRIOR NOTICE OF THIS
6 SUBSECTION (5)(a)(I);

7 (B) NOTICE OF THIS SUBSECTION (5)(a)(I) IS INCLUDED IN THE
8 AUTHORIZATION TO CREMATE THE HUMAN REMAINS;

9 (C) THE PERSON WAS GIVEN A REASONABLE OPPORTUNITY TO
10 COLLECT THE CREMAINS;

11 (D) THE FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
12 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY
13 SCIENCE PRACTITIONER HAS MADE A REASONABLE AND DOCUMENTED
14 EFFORT TO CONTACT THE PERSON; AND

15 (E) THE EXACT LOCATION OF THE FINAL DISPOSITION AND THE
16 COSTS ASSOCIATED WITH THE FINAL DISPOSITION ARE RECORDED.

17 (II) ~~A funeral establishment, funeral director, or mortuary science~~
18 ~~practitioner may comply with this subsection (5)(a) by transferring the~~
19 ~~cremated or naturally reduced remains and the records showing the~~
20 ~~funeral establishment and the deceased's name, date of birth, and next of~~
21 ~~kin for final disposition to a facility or place normally used for final~~
22 ~~disposition if the new custodian can comply with this subsection (5)(a)~~
23 RECOVERY OF COSTS PURSUANT TO SUBSECTIONS (5)(a)(I) AND (5)(a)(III)
24 OF THIS SECTION IS LIMITED TO A REASONABLE AMOUNT OF THE COSTS
25 ACTUALLY EXPENDED BY THE FUNERAL ESTABLISHMENT, FUNERAL
26 DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR
27 MORTUARY SCIENCE PRACTITIONER.

1 (III) ~~If cremated remains are not claimed by the person with the~~
2 ~~right of final disposition within three years after cremation, a funeral~~
3 ~~establishment, funeral director, or mortuary science practitioner may~~
4 ~~dispose of the remains in an unrecoverable manner by placing the remains~~
5 ~~in an ossuary or by scattering the remains in a dedicated cemetery,~~
6 ~~scattering garden, or consecrated ground used exclusively for these~~
7 ~~purposes.~~ A FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
8 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY
9 SCIENCE PRACTITIONER MAY DISPOSE OF NATURALLY REDUCED REMAINS
10 AT THE DISCRETION OF THE FUNERAL ESTABLISHMENT, FUNERAL
11 DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR
12 MORTUARY SCIENCE PRACTITIONER AND AT THE EXPENSE OF THE PERSON
13 WITH THE RIGHT OF FINAL DISPOSITION ONE HUNDRED EIGHTY DAYS AFTER
14 NATURAL REDUCTION IF:

15 (A) THE PERSON WAS GIVEN CLEAR PRIOR NOTICE OF THIS
16 SUBSECTION (5)(a)(III);

17 (B) THE NATURALLY REDUCED REMAINS ARE RETURNED TO THE
18 EARTH IN A RESPECTFUL MANNER;

19 (C) THE PERSON WAS GIVEN A REASONABLE OPPORTUNITY TO
20 COLLECT THE NATURALLY REDUCED REMAINS;

21 (D) THE FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,
22 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY
23 SCIENCE PRACTITIONER HAS MADE A REASONABLE AND DOCUMENTED
24 EFFORT TO CONTACT THE PERSON; AND

25 (E) THE EXACT LOCATION OF THE FINAL DISPOSITION AND THE
26 COSTS ASSOCIATED WITH THE FINAL DISPOSITION ARE RECORDED.

27 (IV) The custodian is not liable for the loss or destruction of

1 records required to be kept by PURSUANT TO this subsection (5)(a) if the
2 loss or destruction was not caused by the custodian's negligence OR
3 WILLFUL CONDUCT.

4 (V) ~~If naturally reduced remains are not claimed by the person~~
5 ~~with the right of final disposition within one hundred eighty days after~~
6 ~~natural reduction, a funeral establishment, funeral director, or mortuary~~
7 ~~science practitioner may dispose of the remains in an unrecoverable~~
8 ~~manner by returning the remains to the earth in a respectful manner.~~

9 (b) If the person was cremated prior to July 1, 2003, and the
10 FUNERAL ESTABLISHMENT, funeral director, CREMATIONIST, NATURAL
11 REDUCTIONIST, EMBALMER, or mortuary science practitioner reasonably
12 attempts to notify the person with the right of final disposition of the
13 provisions of this subsection (5), the cremated remains may be disposed
14 of in accordance with this subsection (5) notwithstanding a failure to
15 provide the notice of the provisions of this subsection (5) to the person
16 with the right of final disposition prior to disposing of the remains.

17 **SECTION 6.** In Colorado Revised Statutes, 12-135-110, **amend**
18 (1), (2)(a) introductory portion, (2)(a)(III), (2)(a)(IV) introductory
19 portion, (2)(a)(IV)(C), (2)(a)(IV)(E), (2)(b), and (3); and **add** (2)(a)(V)
20 and (3.5) as follows:

21 **12-135-110. Registration required.**

22 (1) Unless practicing at a registered funeral establishment OR
23 AFFILIATE LOCATION pursuant to this section, a person shall not practice
24 as, or offer the services of, a mortuary science practitioner, funeral
25 director, ~~or~~ embalmer, CREMATIONIST, OR NATURAL REDUCTIONIST, nor
26 shall the funeral establishment OR AFFILIATE LOCATION sell or offer to sell
27 funeral goods and services to the public.

1 (2) (a) Each funeral establishment shall register with the director
2 using forms as determined by the director. The registration ~~shall~~ MUST
3 include the following:

4 (III) The date the funeral establishment began doing business; ~~and~~

5 (IV) ~~A list of each of the following services provided at each~~
6 ~~funeral establishment location~~ WHETHER THE FUNERAL ESTABLISHMENT
7 PROVIDES THE FOLLOWING SERVICES:

8 (C) ~~Transporting human remains to or from the funeral~~
9 ~~establishment or the place of final disposition~~ CREMATING HUMAN
10 REMAINS;

11 (E) Selling preneed contracts; AND

12 (V) THE SPECIFIC LOCATION AND A LIST OF SERVICES OFFERED AT
13 EACH AFFILIATE LOCATION UNDER COMMON OWNERSHIP WITH THE
14 FUNERAL ESTABLISHMENT.

15 (b) Each funeral establishment registration shall be renewed,
16 according to a schedule established by the director in accordance with
17 section 12-20-202 (1), in a form as determined by the director. At the time
18 of renewal, each funeral establishment shall attest to whether the funeral
19 establishment sells preneed contracts. ~~The director shall enter into a~~
20 ~~memorandum of understanding with the commissioner of insurance to~~
21 ~~share information regarding funeral establishments that sell preneed~~
22 ~~contracts.~~

23 (3) Each funeral establishment shall appoint an individual as the
24 designee of the funeral establishment. A designee must:

25 (a) Be at least eighteen years ~~of age~~ OLD;

26 (b) ~~Have at least two years' experience working for a funeral~~
27 ~~establishment;~~

1 (c) ~~Be employed by the registered funeral establishment that the~~
2 ~~designee represents;~~

3 ~~(d)~~ (b) Have the authority within the funeral establishment's
4 organization to require that personnel comply with this article 135; AND

5 (c) ~~Not be designated for more than one funeral establishment;~~
6 ~~and~~

7 ~~(f)~~ (c) On or after January 1, 2027, be licensed as:

8 (I) A funeral director pursuant to ~~section~~ SECTIONS 12-135-501
9 and ~~part 6 of this article 135~~ 12-135-602; or

10 (II) ~~On or after January 1, 2027, be licensed as~~ A mortuary science
11 practitioner pursuant to ~~section~~ SECTIONS 12-135-501 and ~~part 7 of this~~
12 ~~article 135~~ 12-135-702.

13 (3.5) A DESIGNEE APPOINTED FOR A REGISTERED FUNERAL
14 ESTABLISHMENT MAY ALSO BE APPOINTED AS THE DESIGNEE FOR AN
15 AFFILIATE LOCATION FUNERAL ESTABLISHMENT THAT IS UNDER COMMON
16 OWNERSHIP WITH THE REGISTERED FUNERAL ESTABLISHMENT.

17 **SECTION 7.** In Colorado Revised Statutes, 12-135-112, **amend**
18 (2)(b), (3), and (4) as follows:

19 **12-135-112. Standards of practice - embalming - transporting.**

20 (2) A funeral establishment that transports human remains shall:

21 (b) Transport human remains in a ~~safe and sanitary~~ manner THAT:

22 (I) IS CUSTOMARY WITHIN THE PROFESSION;

23 (II) IS SAFE, SANITARY, AND DIGNIFIED; AND

24 (III) DOES NOT INVOLVE STACKING HUMAN REMAINS.

25 (3) A funeral establishment shall remove any implanted device in
26 human remains before transporting the body to a crematory OR
27 COMMENCING CREMATION.

1 (4) (a) A funeral establishment shall maintain a sanitary
2 preparation room with:

3 (I) Sanitary flooring;

4 (II) Drainage;

5 (III) Ventilation; ~~and~~

6 (IV) ACCESS TO refrigeration SUFFICIENT TO ACCOMMODATE THE
7 NEEDS OF THE FUNERAL ESTABLISHMENT; and

8 (V) Other equipment necessary to maintain sanitary conditions.

9 **SECTION 8.** In Colorado Revised Statutes, 12-135-113, **amend**
10 (2)(c) and (4) as follows:

11 **12-135-113. Custody and responsibility - rules.**

12 (2) A funeral establishment is responsible for identifying and
13 tracking human remains from the time it takes custody of human remains
14 until the:

15 (c) Remains are released to another funeral establishment,
16 ~~crematory~~, repository, or entity as authorized by the person who has the
17 right of final disposition.

18 (4) A funeral establishment shall not take custody of more
19 UNEMBALMED human remains than the funeral establishment has capacity
20 to refrigerate unless the funeral establishment maintains custody of the
21 UNEMBALMED human remains for less than twenty-four hours.

22 **SECTION 9.** In Colorado Revised Statutes, 12-135-114, **amend**
23 (1) as follows:

24 **12-135-114. Insurance requirements.**

25 (1) A funeral establishment shall obtain and maintain a
26 professional liability insurance policy with liability limits of at least one
27 million dollars. The funeral establishment must submit the certificate of

1 professional liability insurance to the director:

2 (a) Within thirty days after the initial registration of the funeral
3 establishment by the director; ~~and~~

4 (b) Upon request by the director; AND

5 (c) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION
6 (1)(c), BY ATTESTATION WHEN RENEWING THE REGISTRATION OF THE
7 FUNERAL ESTABLISHMENT PURSUANT TO SECTION 12-135-110.

8 **SECTION 10.** In Colorado Revised Statutes, **add** 12-135-115 as
9 follows:

10 **12-135-115. Funeral service or final disposition - death**
11 **certificate.**

12 (1) UNLESS IT IS KNOWN THAT THE DECEASED INDIVIDUAL DIED OF
13 AN INFECTIOUS DISEASE:

14 (a) THE FAMILY, A FRIEND, OR A FRIEND OF THE FAMILY OF THE
15 DECEASED INDIVIDUAL MAY CONDUCT A FUNERAL SERVICE FOR THE
16 DECEASED INDIVIDUAL; OR

17 (b) A RELIGIOUS GROUP OR SECT MAY CONDUCT A FUNERAL
18 SERVICE FOR AND FINAL DISPOSITION OF THE DECEASED INDIVIDUAL
19 WITHOUT THE PARTICIPATION OF A FUNERAL DIRECTOR OR MORTUARY
20 SCIENCE PRACTITIONER IF THE GROUP'S OR SECT'S RELIGIOUS BELIEFS
21 REQUIRE THE SERVICE OR BURIAL WITHOUT THE PARTICIPATION OF A
22 FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER.

23 (2) A FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER
24 WHO IS REQUIRED TO INITIATE, COMPLETE, RESPOND TO, OR FILE A
25 CERTIFICATE OF DEATH SHALL PROVIDE THEIR LICENSE NUMBER PURSUANT
26 TO SECTION 25-2-110 (1)(b)(III)(B).

27 **SECTION 11.** In Colorado Revised Statutes, **amend** 12-135-201

1 as follows:

2 **12-135-201. Funeral establishments in cemeteries not exempt.**

3 No person, firm, association, partnership, or corporation engaged
4 in the ownership, operation, or management of a cemetery or mausoleum
5 in this state that is exempt from payment of general property taxes, shall,
6 either directly or indirectly, own, manage, conduct, or operate a ~~funeral~~
7 ~~home or mortuary~~ FUNERAL ESTABLISHMENT in the cemetery or
8 mausoleum, or adjacent ~~thereto~~ TO THE CEMETERY OR MAUSOLEUM and
9 in connection therewith, unless the cemetery or mausoleum and ~~funeral~~
10 ~~home or mortuary~~ FUNERAL ESTABLISHMENT is listed for assessment
11 purposes. The attorney general, county attorney, or any interested party
12 may maintain injunction proceedings to prevent any violation of this
13 section.

14 **SECTION 12.** In Colorado Revised Statutes, **repeal** 12-135-301,
15 12-135-302, 12-135-303, and 12-135-308.

16 **SECTION 13.** In Colorado Revised Statutes, 12-135-307, **amend**
17 (2)(a)(III) as follows:

18 **12-135-307. Standards of practice - cremating.**

19 (2) (a) A crematory shall not cremate human remains unless the
20 crematory has obtained a statement containing the following from a
21 funeral establishment, funeral director, mortuary science practitioner, or
22 the person with the right of final disposition:

23 (III) Authorization to cremate the human remains THAT INCLUDES
24 A PROVISION EXPLAINING THE RIGHTS OF THE FUNERAL ESTABLISHMENT,
25 FUNERAL DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER,
26 OR MORTUARY SCIENCE PRACTITIONER PURSUANT TO SECTION 12-135-109
27 (5)(a)(I);

1 **SECTION 14.** In Colorado Revised Statutes, 12-135-401, **amend**
2 (1) introductory portion, (2), (3)(a), (3)(b), (4), (6), and (7); and **add** (1.1)
3 and (8) as follows:

4 **12-135-401. Powers and duties of the director - rules.**

5 (1) In connection with a license issued pursuant to part 5 of this
6 article 135 or a registration issued pursuant to section 12-135-110, ~~or~~
7 ~~12-135-303~~, the director may deny, suspend, refuse to renew, or revoke
8 a license or registration pursuant to section 12-20-404 (1)(d); issue and
9 send, by electronic mail that is actually received, a letter of admonition to
10 the licensee or registrant under the circumstances specified in and in
11 accordance with section 12-20-404 (4); issue a confidential letter of
12 concern to the licensee or registrant under the circumstance specified in
13 section 12-20-404 (5); place the licensee or registrant on probation
14 pursuant to section 12-20-404 (1)(b); or limit the scope of practice of the
15 registration or license under this article 135 if the licensee or registrant
16 has:

17 (1.1) IF A PERSON LICENSED OR REGISTERED PURSUANT TO THIS
18 ARTICLE 135 IS FOUND BY THE DIRECTOR TO HAVE VIOLATED A PROVISION
19 OF THIS ARTICLE 135 OR A RULE ADOPTED BY THE DIRECTOR IN A MANNER
20 THAT THE DIRECTOR DETERMINES IS TECHNICAL IN NATURE OR OTHERWISE
21 MINOR AND INCONSEQUENTIAL, THE DIRECTOR MAY ISSUE TO THE
22 LICENSEE OR REGISTRANT AN INFORMAL WARNING THAT DOES NOT RESULT
23 IN ANY OTHER ACTION TAKEN BY THE DIRECTOR FOR THAT VIOLATION.

24 (2) In connection with a license issued pursuant to part 5 of this
25 article 135 or a registration issued pursuant to section 12-135-110, ~~or~~
26 ~~12-135-303~~, the director may deny or revoke a registration or license if
27 the licensee, the registrant, or the designee of a registrant has a

1 disqualifying criminal history as described in section 12-135-503. The
2 director shall promptly notify the licensee or registrant of the revocation.

3 (3) (a) (I) The director may investigate the activities of a licensee
4 licensed pursuant to part 5 of this article 135, or a registrant registered
5 pursuant to section 12-135-110, ~~or 12-135-303~~, upon the director's own
6 initiative or upon receipt of a complaint or a suspected or alleged
7 violation of this article 135.

8 (II) The director shall perform routine inspections of all funeral
9 establishments ~~and crematories~~ on a periodic basis, AND AT LEAST
10 ANNUALLY, as determined by rule. The director may contract with a
11 private party to perform these inspections.

12 (III) To perform an inspection, the director or a private party with
13 whom the director contracts to perform the inspection may enter the
14 premises of a funeral establishment ~~or crematory~~ with full right of ingress
15 and egress:

16 (A) While the funeral establishment ~~or crematory~~ is registered;

17 (B) For a period of time, as determined by rule, after a funeral
18 establishment's ~~or crematory's~~ registration has expired, has been revoked,
19 or has been surrendered; and

20 (C) Upon application for a new registration.

21 (IV) The director shall ~~promulgate~~ ADOPT rules determining the
22 period of time after a registration is no longer valid during which time the
23 director or a private party with whom the director contracts may perform
24 inspections to ensure that the funeral establishment ~~or crematory~~
25 continues to comply with this article 135 and winds down the business
26 without creating an undue risk to the public health.

27 (b) Each funeral establishment registered under section

1 12-135-110 ~~or crematory registered under section 12-135-303~~ is deemed
2 to have consented to any inspection authorized in this subsection (3) as
3 a condition of the registration.

4 (4) The director shall keep records of registrations, licenses, and
5 disciplinary proceedings. If conducted pursuant to this section:

6 (a) Investigations, examinations, hearings, ~~meetings,~~ or
7 proceedings are exempt from part 4 of article 6 of title 24; ~~and~~

8 (b) ~~Minutes or~~ Records concerning licensing action taken are
9 exempt from part 2 of article 72 of title 24; AND

10 (c) REPORTS OF ANNUAL INSPECTIONS, EXCLUDING PHOTOGRAPHS
11 AND AUDIO AND VIDEO RECORDINGS AND ANY INFORMATION THAT WOULD
12 PERSONALLY IDENTIFY A DECEASED INDIVIDUAL, ARE SUBJECT TO PART 2
13 OF ARTICLE 72 OF TITLE 24.

14 (6) (a) The director may ~~promulgate~~ ADOPT reasonable rules
15 necessary to implement this article 135.

16 (b) In ~~promulgating~~ ADOPTING rules under this article 135, the
17 director is subject to article 4 of title 24.

18 (c) ~~(Deleted by amendment, L. 2024.)~~

19 (7) The director may impose discipline, pursuant to this section,
20 on an applicant for registration under this article 135 OR a funeral
21 establishment registered pursuant to section 12-135-110 ~~or a crematory~~
22 ~~registered pursuant to section 12-135-303~~ for the acts of a person that:

23 (a) Is acting on behalf of the applicant OR registered funeral
24 establishment; ~~or registered crematory;~~ and

25 (b) Is an officer, a director, a member, a partner, or an owner of
26 the applicant OR registered funeral establishment ~~or registered crematory~~
27 if:

1 (I) The person holds at least a ten percent interest in the applicant
2 OR registered funeral establishment ~~or registered crematory~~ that is
3 publicly traded; or

4 (II) The person holds an interest in the applicant OR registered
5 funeral establishment ~~or registered crematory~~ that is not publicly traded.

6 (8) THE DIRECTOR SHALL ENTER INTO A MEMORANDUM OF
7 UNDERSTANDING WITH THE COMMISSIONER OF INSURANCE TO SHARE
8 INFORMATION REGARDING FUNERAL ESTABLISHMENTS THAT SELL PRENEED
9 CONTRACTS PURSUANT TO SECTION 12-135-110 (2)(a)(IV)(E).

10 **SECTION 15.** In Colorado Revised Statutes, 12-135-404, **amend**
11 (2) as follows:

12 **12-135-404. Civil penalty - fines.**

13 (2) In addition to any other penalty that may be imposed pursuant
14 to this section, a funeral establishment ~~or crematory~~ violating part 1 or 3
15 of this article 135 or a rule ~~promulgated~~ ADOPTED pursuant to part 1 or 3
16 of this article 135 may be fined no less than one hundred dollars and no
17 more than five thousand dollars for each violation proven by the director.

18 **SECTION 16.** In Colorado Revised Statutes, **add** 12-135-405.5
19 as follows:

20 **12-135-405.5. Licensure by endorsement.**

21 THE DIRECTOR SHALL ISSUE A LICENSE BY ENDORSEMENT TO
22 ENGAGE IN THE PRACTICE OF BEING A LICENSED FUNERAL DIRECTOR,
23 CREMATIONIST, MORTUARY SCIENCE PRACTITIONER, EMBALMER, OR
24 NATURAL REDUCTIONIST IN THIS STATE TO AN APPLICANT WHO SATISFIES
25 THE REQUIREMENTS OF THE OCCUPATIONAL CREDENTIAL PORTABILITY
26 PROGRAM AS SET FORTH IN SECTION 12-20-202 (3).

27 **SECTION 17.** In Colorado Revised Statutes, **amend** 12-135-406

1 as follows:

2 **12-135-406. Repeal - subject to review.**

3 ~~Sections~~ SECTION 12-135-110 ~~and 12-135-303~~ and this part 4 are
4 repealed, effective September 1, ~~2029~~ 2031. Before the repeal, the
5 regulation of persons registered to practice cremation and mortuary
6 science is scheduled for review in accordance with section 24-34-104.

7 **SECTION 18.** In Colorado Revised Statutes, 12-135-501, **amend**
8 (2), (3)(a)(I), and (3)(a)(III)(C); and **add** (3)(a)(III)(D), (7), and (8) as
9 follows:

10 **12-135-501. Licenses required - funeral director, mortuary**
11 **science practitioner, embalmer, cremationist, and natural**
12 **reductionist - associate license - provisional license - rules - repeal.**

13 (2) The director may ~~promulgate~~ ADOPT rules to establish
14 application procedures and forms for issuing and renewing a license.

15 (3) (a) To be licensed under this section, an individual must:

16 (I) Submit to the director an application in the form and manner
17 specified by THE DIRECTOR and an application fee in an amount
18 determined by the director under section 12-20-105;

19 (III) Demonstrate to the director that:

20 (C) The applicant qualifies for a license issued in accordance with
21 subsection (5) of this section; ~~and~~ OR

22 (D) THE APPLICANT QUALIFIES FOR A LICENSE ISSUED IN
23 ACCORDANCE WITH SUBSECTION (7) OF THIS SECTION; AND

24 (7) (a) ON AND AFTER JANUARY 1, 2027, AN INDIVIDUAL MAY
25 APPLY FOR AN ASSOCIATE LICENSE TO OBTAIN THE NECESSARY PRACTICE
26 EXPERIENCE TO MEET THE REQUIREMENTS SET FORTH IN SECTION
27 12-135-603, 12-135-703, 12-135-803, OR 12-135-903.

1 (b) IN ADDITION TO SATISFYING THE REQUIREMENTS OF
2 SUBSECTION (3) OF THIS SECTION, TO BE QUALIFIED TO OBTAIN AN
3 ASSOCIATE LICENSE, AN APPLICANT MUST:

4 (I) IF SEEKING LICENSURE PURSUANT TO SECTION 12-135-603,
5 12-135-703, OR 12-135-803, DEMONSTRATE THAT THEY ARE ACTIVELY
6 ENROLLED IN, OR HAVE GRADUATED FROM, AN ACCREDITED MORTUARY
7 SCIENCE SCHOOL; OR

8 (II) IF SEEKING LICENSURE PURSUANT TO SECTION 12-135-903:

9 (A) HAVE REGISTERED FOR OR COMPLETED OFFICIAL
10 CERTIFICATION AS A CREMATORY OPERATOR FROM THE CREMATION
11 ASSOCIATION OF NORTH AMERICA, THE INTERNATIONAL CEMETERY,
12 CREMATION AND FUNERAL ASSOCIATION, THE NATIONAL FUNERAL
13 DIRECTORS ASSOCIATION, OR A SUCCESSOR ORGANIZATION THAT IS
14 APPROVED BY THE DIRECTOR; OR

15 (B) HAVE REGISTERED FOR OR COMPLETED OFFICIAL
16 CERTIFICATION AS A NATURAL REDUCTIONIST FROM THE CREMATION
17 ASSOCIATION OF NORTH AMERICA, THE INTERNATIONAL CEMETERY,
18 CREMATION AND FUNERAL ASSOCIATION, THE NATIONAL FUNERAL
19 DIRECTORS ASSOCIATION, OR A SUCCESSOR ORGANIZATION THAT IS
20 APPROVED BY THE DIRECTOR.

21 (c) (I) AN ASSOCIATE LICENSE ISSUED PURSUANT TO THIS
22 SUBSECTION (7) EXPIRES THREE YEARS AFTER THE DATE IT WAS ISSUED.

23 (II) AN ASSOCIATE LICENSE MUST NOT BE EXTENDED OR
24 REINSTATED WITHOUT APPROVAL BY THE DIRECTOR.

25 (8) AN INDIVIDUAL WITH AN ASSOCIATE LICENSE MAY PERFORM
26 ANY FUNCTION A LICENSEE IS AUTHORIZED TO PERFORM AS LONG AS SUCH
27 FUNCTION IS PERFORMED UNDER THE SUPERVISION OF A LICENSEE, WHICH

1 SUPERVISION THE DIRECTOR SHALL DEFINE BY RULE.

2 **SECTION 19.** In Colorado Revised Statutes, 12-135-503, **amend**

3 (1)(b) as follows:

4 **12-135-503. Criminal history - rules.**

5 (1) Subject to section 24-5-101, a licensee or an applicant for a
6 license under this part 5 has a disqualifying criminal history if the
7 licensee or applicant has been convicted of, plead guilty to, plead nolo
8 contendere to, or received a deferred sentence for:

9 (b) A felony committed in the course of and related to being an
10 employee of or being an agent of a funeral establishment registered in
11 accordance with section 12-135-110; ~~or of a crematory registered in~~
12 ~~accordance with section 12-135-303;~~

13 **SECTION 20.** In Colorado Revised Statutes, 12-135-508, **amend**

14 (1)(o) as follows:

15 **12-135-508. Grounds for discipline.**

16 (1) The director may take disciplinary action in accordance with
17 sections 12-20-404, 12-135-401, and 12-135-507 against an applicant or
18 licensee who has:

19 (o) Authorized an officer of or employee of a licensee, of a
20 registrant under section 12-135-110, ~~or 12-135-303;~~ or of another person
21 having a professional relationship with the decedent to approve or cause
22 the final disposition of human remains in violation of this article 135;

23 **SECTION 21.** In Colorado Revised Statutes, 12-135-601, **amend**

24 (4)(d)(III) as follows:

25 **12-135-601. Practice of a funeral director described -**
26 **definition.**

27 (4) (d) A licensee shall not delegate the following tasks:

1 (III) Oversight of a ~~funeral home or crematory~~ FUNERAL
2 ESTABLISHMENT'S operations related to the final disposition of human
3 remains.

4 **SECTION 22.** In Colorado Revised Statutes, 12-135-701, **amend**
5 (2)(d)(III) as follows:

6 **12-135-701. Practice of a mortuary science practitioner**
7 **described - rules.**

8 (2) (d) A licensee shall not delegate the following tasks:

9 (III) Oversight of a ~~funeral home or crematory~~ FUNERAL
10 ESTABLISHMENT'S operations related to the final disposition of human
11 remains.

12 **SECTION 23.** In Colorado Revised Statutes, 12-20-202, **repeal**
13 (3)(e)(IV) as follows:

14 **12-20-202. Licenses, certifications, and registrations - renewal**
15 **- reinstatement - fees - occupational credential portability program**
16 **- exceptions for military personnel, spouses, gold star military**
17 **spouses, and dependents - rules - consideration of criminal**
18 **convictions or driver's history - executive director authority -**
19 **definitions.**

20 (3) **Occupational credential portability program - definitions.**

21 (e) Subsections (3)(a) to (3)(d) of this section do not apply to the
22 following professions or occupations:

23 (IV) ~~Mortuaries and crematories, regulated pursuant to article 135~~
24 ~~of this title 12;~~

25 **SECTION 24.** In Colorado Revised Statutes, 12-20-402, **amend**
26 (2) as follows:

27 **12-20-402. Immunity.**

1 (2) ~~Any~~ A person participating in good faith in lodging or making
2 a complaint or report or participating in any investigative or
3 administrative proceeding pursuant to a part or article of this title 12
4 governing a particular profession or occupation is immune from ~~any~~ civil
5 or criminal liability that may result from that participation; except that a
6 person participating as described in this subsection (2) under article 135
7 of this title 12 concerning ~~mortuaries~~ FUNERAL ESTABLISHMENTS and
8 crematories is immune from only civil liability.

9 **SECTION 25.** In Colorado Revised Statutes, 12-20-407, **amend**
10 (2)(a) as follows:

11 **12-20-407. Unauthorized practice of profession or occupation**
12 **- penalties - exclusions.**

13 (2) The penalties for:

14 (a) Engaging in unauthorized activities regarding ~~mortuaries~~
15 FUNERAL ESTABLISHMENTS and crematories are governed by section
16 12-135-108;

17 **SECTION 26.** In Colorado Revised Statutes, 12-20-408, **amend**
18 (2)(c) as follows:

19 **12-20-408. Judicial review.**

20 (2) A district court of competent jurisdiction has initial
21 jurisdiction to review all final actions and orders of a regulator that are
22 subject to judicial review and shall conduct the judicial review
23 proceedings in accordance with section 24-4-106 (3) for the following:

24 (c) Article 135 of this title 12 concerning ~~mortuaries~~ FUNERAL
25 ESTABLISHMENTS and crematories; and

26 **SECTION 27.** In Colorado Revised Statutes, 12-140-102, **amend**
27 (3)(b)(II); and **repeal** (3)(b)(III) as follows:

1 **12-140-102. Definitions.**

2 As used in this article 140, unless the context otherwise requires:

3 (3) (b) "Nontransplant tissue bank" does not include:

4 (II) A funeral establishment registered in accordance with section
5 12-135-110; OR

6 (III) ~~A crematory registered in accordance with section~~
7 ~~12-135-303; or~~

8 **SECTION 28.** In Colorado Revised Statutes, 12-140-103, **amend**
9 (4) as follows:

10 **12-140-103. Registration required - subject to review - repeal.**

11 (4) This section is repealed, effective September 1, 2033 2031.
12 Before the repeal, this section is scheduled for review in accordance with
13 section 24-34-104.

14 **SECTION 29.** In Colorado Revised Statutes, 12-140-107, **amend**
15 (1)(c); and **add** (1)(e) as follows:

16 **12-140-107. Discipline.**

17 (1) The director may take disciplinary or other action as
18 authorized in section 12-20-404 if the nontransplant tissue bank or
19 applicant:

20 (c) Violates federal law, Colorado law, or an ordinance or
21 resolution of a political subdivision of Colorado in the operation of the
22 nontransplant tissue bank; ~~or~~

23 (e) IS A PERSON THAT OWNS AN INTEREST IN A NONTRANSPLANT
24 TISSUE BANK AND ALSO OWNS AN INTEREST IN A FUNERAL ESTABLISHMENT
25 AS DEFINED IN SECTION 12-135-103 (16).

26 **SECTION 30.** In Colorado Revised Statutes, 18-13-101, **amend**
27 (1) as follows:

1 **18-13-101. Abuse of a corpse - penalty.**

2 (1) A person commits abuse of a corpse if, without statutory or
3 court-ordered authority, the person:

4 (a) Removes the body or remains of any person from a grave or
5 other place of sepulcher without the consent of the person who has the
6 right to dispose of the remains pursuant to section 15-19-106; or

7 (b) Treats the body or remains of any person in a way that would
8 outrage normal family sensibilities, INCLUDING BY:

9 (I) DISMEMBERING OR MUTILATING A BODY;

10 (II) HIDING OR CONCEALING A BODY;

11 (III) IMPROPERLY ALLOWING A BODY TO DECOMPOSE;

12 (IV) IMPROPERLY DISPOSING OF A BODY, INCLUDING BY THROWING
13 THE BODY IN THE TRASH, BURNING THE BODY, OR ABANDONING THE BODY
14 ON PUBLIC OR PRIVATE PROPERTY;

15 (V) REMOVING AN ORGAN FROM A BODY WITHOUT PERMISSION,
16 EXCEPT AS PERMITTED BY INDUSTRY STANDARDS PURSUANT TO ARTICLE
17 135 OF TITLE 12;

18 (VI) SELLING A BODY OR HUMAN REMAINS; OR

19 (VII) TRANSPORTING OR STORING A BODY IN A DEGRADING
20 MANNER, WHICH MAY INCLUDE THE PILING OR STACKING OF HUMAN
21 BODIES:

22 (A) IN A MANNER THAT DOES NOT ALIGN WITH RECOGNIZED
23 INDUSTRY STANDARDS AND METHODS ACCEPTED BY INDIVIDUALS
24 LICENSED PURSUANT TO ARTICLE 135 OF TITLE 12; OR

25 (B) WITHOUT STORING THE BODIES IN PROPER CONTAINERS.

26 ==

27 **SECTION 31.** In Colorado Revised Statutes, 24-34-104, **repeal**

1 (30)(a)(X) and (34)(a)(IX); and **add** (32)(a)(XVI) and (32)(a)(XVII) as
2 follows:

3 **24-34-104. General assembly review of regulatory agencies**
4 **and functions for repeal, continuation, or reestablishment - legislative**
5 **declaration - repeal.**

6 (30) (a) The following agencies, functions, or both, are scheduled
7 for repeal on September 1, 2029:

8 ~~(X) The functions of the director of the division of professions~~
9 ~~and occupations related to the registration of funeral establishments~~
10 ~~specified in section 12-135-110 and crematories specified in section~~
11 ~~12-135-303 and to the title protections specified in sections 12-135-111~~
12 ~~and 12-135-304.~~

13 (32) (a) The following agencies, functions, or both, are scheduled
14 for repeal on September 1, 2031:

15 (XVI) THE FUNCTIONS OF THE DIRECTOR OF THE DIVISION OF
16 PROFESSIONS AND OCCUPATIONS RELATED TO THE REGISTRATION OF
17 FUNERAL ESTABLISHMENTS SPECIFIED IN SECTION 12-135-110 AND TO THE
18 TITLE PROTECTIONS SPECIFIED IN SECTIONS 12-135-111 AND 12-135-304;

19 (XVII) THE REGULATION OF NONTRANSPLANT TISSUE BANKS BY
20 THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE
21 DEPARTMENT OF REGULATORY AGENCIES PURSUANT TO SECTION
22 12-140-103.

23 (34) (a) The following agencies, functions, or both, are scheduled
24 for repeal on September 1, 2033:

25 ~~(IX) The regulation of nontransplant tissue banks by the director~~
26 ~~of the division of professions and occupations in the department of~~
27 ~~regulatory agencies pursuant to section 12-140-103;~~

1 **SECTION 32.** In Colorado Revised Statutes, 25-2-110, **amend**
2 (1)(b)(III) as follows:

3 **25-2-110. Certificates of death - electronic death registration**
4 **system - amended certificate of death following a change in gender -**
5 **rules - definitions.**

6 (1) (b) (III) (A) Except as otherwise provided in subsection (4.5)
7 of this section, any individual, other than a family member of the
8 decedent or other individual assisting in a nonprofessional capacity for
9 the decedent, who is required to initiate, complete, respond to, or file a
10 certificate of death pursuant to this section must use the electronic death
11 registration system used by the state registrar.

12 (B) A LICENSED INDIVIDUAL WHO IS REQUIRED TO INITIATE,
13 COMPLETE, RESPOND TO, OR FILE A CERTIFICATE OF DEATH PURSUANT TO
14 THIS SECTION SHALL PROVIDE THE INDIVIDUAL'S LICENSE NUMBER.

15 **SECTION 33. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly (August 12, 2026, if adjournment sine die is on May 13,
19 2026); except that, if a referendum petition is filed pursuant to section 1
20 (3) of article V of the state constitution against this act or an item, section,
21 or part of this act within such period, then the act, item, section, or part
22 will not take effect unless approved by the people at the general election
23 to be held in November 2026 and, in such case, will take effect on the
24 date of the official declaration of the vote thereon by the governor.

25 (2) This act applies to offenses committed; license and registration
26 applications filed; certificates of death initiated, completed, responded to,

- 1 or filed; and contracts entered into or renewed on or after the applicable
- 2 effective date of this act.