

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

REVISED

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

LLS NO. 22-0052.01 Jery Payne x2157

HOUSE BILL 22-1073

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A BILL FOR AN ACT

101 **CONCERNING AUTHORIZATION TO ENTER THE PREMISES OF AN**
102 **ESTABLISHMENT THAT PROVIDES SERVICES RELATED TO DEAD**
103 **HUMAN BODIES IN ORDER TO PERFORM AN INSPECTION.**

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 authorizes the director of the division of professions and occupations to enter the premises of registered funeral establishments and crematories during business hours to conduct inspections. The director may contract with a third party to perform the inspection.

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

SENATE
2nd Reading Unamended
March 8, 2022

HOUSE
3rd Reading Unamended
February 16, 2022

HOUSE
2nd Reading Unamended
February 15, 2022

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-135-401, **amend**
3 (3) as follows:

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

5 (3) (a) The director may investigate the activities of a funeral
6 establishment or crematory upon ~~his or her~~ THE DIRECTOR'S own initiative
7 or upon receipt of a complaint or a suspected or alleged violation of this
8 article 135. THE DIRECTOR MAY CONTRACT WITH A PRIVATE PARTY TO
9 PERFORM AN INSPECTION. TO PERFORM AN INSPECTION, THE DIRECTOR OR
10 A PRIVATE PARTY WITH WHOM THE DIRECTOR CONTRACTS TO PERFORM
11 THE INSPECTION MAY ENTER THE PREMISES OF A FUNERAL ESTABLISHMENT
12 OR CREMATORY WITH FULL RIGHT OF INGRESS AND EGRESS DURING
13 BUSINESS HOURS.

14 (b) EACH FUNERAL ESTABLISHMENT REGISTERED UNDER SECTION
15 12-135-110 OR CREMATORY REGISTERED UNDER SECTION 12-135-303 IS
16 DEEMED TO HAVE CONSENTED TO ANY INSPECTION AUTHORIZED IN THIS
17 SUBSECTION (3) AS A CONDITION OF THE REGISTRATION.

18 (c) Section 12-20-403 applies to investigations, hearings, and
19 other proceedings under this section.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.