

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0405.02 Renee Leone x2695

HOUSE BILL 26-1258

HOUSE SPONSORSHIP

Soper and Titone,

SENATE SPONSORSHIP

Roberts and Pelton R.,

House Committees
Business Affairs & Labor

Senate Committees

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.

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** (1.8); and **recreate and reenact, with amendments,**
4 (10) as follows:

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

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

7 (1.8) "BROKER" MEANS A PERSON THAT DOES NOT DIRECTLY
8 PROVIDE PREPARATION OF HUMAN REMAINS FOR FINAL DISPOSITION OR
9 FUNERAL SERVICES TO THE PUBLIC AND WHO PROVIDES FUNERAL SERVICES
10 EXCLUSIVELY THROUGH THE USE OF SUBCONTRACTORS.

11 (10) "DESIGNEE" MEANS AN INDIVIDUAL DESIGNATED BY A
12 FUNERAL ESTABLISHMENT REGISTERED IN ACCORDANCE WITH SECTION
13 12-135-110.

14 (16) "Funeral establishment" ~~"funeral home", or "mortuary"~~
15 means:

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

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

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

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

8 (18) "Funeral services" means:

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

12 (b) Arrangement, supervision, or conduct of the funeral ceremony
13 or the final disposition of human remains. ~~or~~

14 (c) ~~Transportation of human remains to or from a funeral~~
15 ~~establishment.~~

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

18 **12-135-104. Funeral establishment - subcontractor.**

19 (1) (a) A funeral establishment shall have the appropriate
20 equipment and personnel to adequately AND DIRECTLY provide the funeral
21 services it contracts to provide and shall provide written notice to the
22 consumer specifying any subcontractors or agents routinely handling or
23 caring for human remains.

24 (b) To comply WITH SUBSECTION (1)(a) OF THIS SECTION, the
25 notice must be given when the consumer inquires about the goods or
26 services the funeral establishment provides and must include the names
27 and addresses of the subcontractors, agents, or other providers; except

1 that, if the inquiry is over the telephone, the written notice must be
2 provided when the customer finalizes the arrangements for goods or
3 services with the funeral establishment.

4 (3) A FUNERAL ESTABLISHMENT MUST HAVE A PHYSICAL LOCATION
5 THAT:

6 (a) IS SUBJECT TO INSPECTION; AND

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

9 (4) A BROKER DOES NOT QUALIFY FOR REGISTRATION AS A
10 FUNERAL ESTABLISHMENT.

11 **SECTION 3.** In Colorado Revised Statutes, 12-135-105, **amend**
12 (1)(e), (1)(g)(II), (1)(i) introductory portion, (1)(i)(I), (1)(i)(VIII),
13 (1)(i)(IX), (1)(n), (1)(o), and (1)(p); and **add** (1)(i)(X), (1)(u), (1)(v), and
14 (1)(w) as follows:

15 **12-135-105. Unlawful acts.**

16 (1) It is unlawful:

17 (e) For a funeral director, mortuary science practitioner,
18 embalmer, CREMATIONIST, NATURAL REDUCTIONIST, funeral
19 establishment, or facility in which people regularly die or the person's or
20 facility's agent to engage in a business practice that interferes with the
21 freedom of choice of the general public to choose a funeral director,
22 mortuary science practitioner, embalmer, CREMATIONIST, NATURAL
23 REDUCTIONIST, or funeral establishment;

24 (g) To transport or otherwise transfer by common carrier human
25 remains unless:

26 (II) The transport or transfer is to a funeral establishment, funeral
27 director, ~~or~~ embalmer, CREMATIONIST, OR NATURAL REDUCTIONIST within

1 the state of Colorado;

2 (i) For a funeral director, mortuary science practitioner, ~~or~~
3 embalmer, CREMATIONIST, OR NATURAL REDUCTIONIST to admit or permit
4 any person to visit the embalming, cremation, or preparation room during
5 the time a body is being embalmed, cremated, or prepared for final
6 disposition, unless the person:

7 (I) Is a funeral director, mortuary science practitioner,
8 cremationist, NATURAL REDUCTIONIST, or embalmer;

9 (VIII) Is a technician representing a procurement organization as
10 defined in section 15-19-202 for purposes of an anatomical gift; ~~or~~

11 (IX) Is the director or the director's designee; OR

12 (X) IS PRACTICING UNDER AN ASSOCIATE LICENSE ISSUED
13 PURSUANT TO SECTION 12-135-501;

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

18 (o) To fail to include in a contract for funeral services the
19 following statement: "~~FUNERAL HOMES AND CREMATORY~~
20 ~~ESTABLISHMENTS ARE REGULATED BY THE DEPARTMENT OF~~
21 ~~REGULATORY AGENCIES. TO FILE A COMPLAINT, CONTACT~~"
22 "FUNERAL ESTABLISHMENTS ARE REGULATED BY THE
23 DEPARTMENT OF REGULATORY AGENCIES. TO FILE A
24 COMPLAINT, CONTACT:", along with the current address, ~~or~~ telephone
25 number, OR EMAIL ADDRESS of the department;

26 (p) For a person owning ~~an indirect or a direct~~ AN interest in a
27 funeral establishment to own ~~an indirect~~ AN interest in a nontransplant

1 tissue bank, as defined in section 12-140-102 (3); ~~or to own a direct~~
2 ~~interest in a nontransplant tissue bank;~~

3 (u) TO COMMIT AN ACT THAT DOES NOT MEET THE GENERALLY
4 ACCEPTED STANDARDS OF MORTUARY SCIENCE OR TO FAIL TO PERFORM AN
5 ACT THAT IS REQUIRED TO MEET THE GENERALLY ACCEPTED STANDARDS
6 OF MORTUARY SCIENCE;

7 (v) TO FAIL TO INCLUDE THE LICENSE NUMBER OF THE DESIGNEE
8 OF THE FUNERAL ESTABLISHMENT IN ALL CONTRACTS FOR FUNERAL
9 SERVICES OR FUNERAL GOODS; OR

10 (w) TO FAIL TO PROPERLY SUPERVISE AN ASSOCIATE, LICENSED
11 PURSUANT TO SECTION 12-135-501 (7), WHO IS REQUIRED TO BE
12 PERFORMING TASKS UNDER THE SUPERVISION OF A LICENSED FUNERAL
13 DIRECTOR, MORTUARY SCIENCE PRACTITIONER, CREMATIONIST, NATURAL
14 REDUCTIONIST, OR EMBALMER PURSUANT TO SECTION 12-135-501 (8).

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

17 **12-135-107. Consumer protection.**

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

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

27 **SECTION 5.** In Colorado Revised Statutes, 12-135-109, **amend**

1 (2)(b), (4) introductory portion, and (5) as follows:

2 **12-135-109. Exceptions - safe harbor.**

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

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

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

1 ~~(5)(a) and a reasonable opportunity to collect the remains, the exact~~
2 ~~location of the final disposition and the costs associated with the final~~
3 ~~disposition are recorded, and the recovery of the remains is possible.~~
4 ~~Recovery of costs is limited to a reasonable amount of the costs actually~~
5 ~~expended by the funeral establishment, funeral director, or mortuary~~
6 ~~science practitioner.~~ YEAR AFTER CREMATION IF:

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

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

11 (C) THE PERSON WAS GIVEN A REASONABLE OPPORTUNITY TO
12 COLLECT THE CREMAINS;

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

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

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

1 DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR
2 MORTUARY SCIENCE PRACTITIONER.

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

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

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

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

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

27 (E) THE EXACT LOCATION OF THE FINAL DISPOSITION AND THE

1 COSTS ASSOCIATED WITH THE FINAL DISPOSITION ARE RECORDED.

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

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

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

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

23 **12-135-110. Registration required.**

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

1 shall the funeral establishment OR AFFILIATE LOCATION sell or offer to sell
2 funeral goods and services to the public.

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

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

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

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

13 (E) Selling preneed contracts; AND

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

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

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

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

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

3 ~~(c) Be employed by the registered funeral establishment that the~~
4 ~~designee represents;~~

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

7 ~~(e) Not be designated for more than one funeral establishment;~~
8 ~~and~~

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

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

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

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

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

21 **12-135-112. Standards of practice - embalming - transporting.**

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

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

24 (I) IS CUSTOMARY WITHIN THE PROFESSION;

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

26 (III) DOES NOT INVOLVE STACKING HUMAN REMAINS.

27 (3) A funeral establishment shall remove any implanted device in

1 human remains before transporting the body to a crematory OR
2 COMMENCING CREMATION.

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

5 (I) Sanitary flooring;

6 (II) Drainage;

7 (III) Ventilation; ~~and~~

8 (IV) ACCESS TO refrigeration SUFFICIENT TO ACCOMMODATE THE
9 NEEDS OF THE FUNERAL ESTABLISHMENT; and

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

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

13 **12-135-113. Custody and responsibility - rules.**

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

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

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

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

26 **12-135-114. Insurance requirements.**

27 (1) A funeral establishment shall obtain and maintain a

1 professional liability insurance policy with liability limits of at least one
2 million dollars. The funeral establishment must submit the certificate of
3 professional liability insurance to the director:

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

6 (b) Upon request by the director; AND

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

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

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

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

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

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

25 (2) A FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER
26 WHO IS REQUIRED TO INITIATE, COMPLETE, RESPOND TO, OR FILE A
27 CERTIFICATE OF DEATH SHALL PROVIDE THEIR LICENSE NUMBER PURSUANT

1 TO SECTION 25-2-110 (1)(b)(III)(B).

2 **SECTION 11.** In Colorado Revised Statutes, **amend** 12-135-201
3 as follows:

4 **12-135-201. Funeral establishments in cemeteries not exempt.**

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

16 **SECTION 12.** In Colorado Revised Statutes, **repeal** 12-135-301,
17 12-135-302, 12-135-303, and 12-135-308.

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

20 **12-135-307. Standards of practice - cremating.**

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

25 (III) Authorization to cremate the human remains THAT INCLUDES
26 A PROVISION EXPLAINING THE RIGHTS OF THE FUNERAL ESTABLISHMENT,
27 FUNERAL DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER,

1 OR MORTUARY SCIENCE PRACTITIONER PURSUANT TO SECTION 12-135-109
2 (5)(a)(I);

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

6 **12-135-401. Powers and duties of the director - rules.**

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

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

26 (2) In connection with a license issued pursuant to part 5 of this
27 article 135 or a registration issued pursuant to section 12-135-110, ~~or~~

1 ~~12-135-303~~, the director may deny or revoke a registration or license if
2 the licensee, the registrant, or the designee of a registrant has a
3 disqualifying criminal history as described in section 12-135-503. The
4 director shall promptly notify the licensee or registrant of the revocation.

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

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

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

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

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

22 (C) Upon application for a new registration.

23 (IV) The director shall ~~promulgate~~ ADOPT rules determining the
24 period of time after a registration is no longer valid during which time the
25 director or a private party with whom the director contracts may perform
26 inspections to ensure that the funeral establishment ~~or crematory~~
27 continues to comply with this article 135 and winds down the business

1 without creating an undue risk to the public health.

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

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

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

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

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

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

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

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

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

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

27 (b) Is an officer, a director, a member, a partner, or an owner of

1 the applicant OR registered funeral establishment ~~or registered crematory~~
2 if:

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

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

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

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

14 **12-135-404. Civil penalty - fines.**

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

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

22 **12-135-405.5. Licensure by endorsement.**

23 THE DIRECTOR SHALL ISSUE A LICENSE BY ENDORSEMENT TO
24 ENGAGE IN THE PRACTICE OF BEING A LICENSED FUNERAL DIRECTOR,
25 CREMATIONIST, MORTUARY SCIENCE PRACTITIONER, EMBALMER, OR
26 NATURAL REDUCTIONIST IN THIS STATE TO AN APPLICANT WHO SATISFIES
27 THE REQUIREMENTS OF THE OCCUPATIONAL CREDENTIAL PORTABILITY

1 PROGRAM AS SET FORTH IN SECTION 12-20-202 (3).

2 **SECTION 17.** In Colorado Revised Statutes, **amend** 12-135-406
3 as follows:

4 **12-135-406. Repeal - subject to review.**

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

9 **SECTION 18.** In Colorado Revised Statutes, 12-135-501, **amend**
10 (2), (3)(a)(I), and (3)(a)(III)(C); and **add** (3)(a)(III)(D), (7), and (8) as
11 follows:

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

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

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

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

21 (III) Demonstrate to the director that:

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

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

26 (7) (a) ON AND AFTER JANUARY 1, 2027, AN INDIVIDUAL MAY
27 APPLY FOR AN ASSOCIATE LICENSE TO OBTAIN THE NECESSARY PRACTICE

1 EXPERIENCE TO MEET THE REQUIREMENTS SET FORTH IN SECTION
2 12-135-603, 12-135-703, 12-135-803, OR 12-135-903.

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

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

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

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

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

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

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

27 (8) AN INDIVIDUAL WITH AN ASSOCIATE LICENSE MAY PERFORM

1 ANY FUNCTION A LICENSEE IS AUTHORIZED TO PERFORM AS LONG AS SUCH
2 FUNCTION IS PERFORMED UNDER THE SUPERVISION OF A LICENSEE, WHICH
3 SUPERVISION THE DIRECTOR SHALL DEFINE BY RULE.

4 **SECTION 19.** In Colorado Revised Statutes, 12-135-503, **amend**
5 (1)(b) as follows:

6 **12-135-503. Criminal history - rules.**

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

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

15 **SECTION 20.** In Colorado Revised Statutes, 12-135-508, **amend**
16 (1)(o) as follows:

17 **12-135-508. Grounds for discipline.**

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

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

25 **SECTION 21.** In Colorado Revised Statutes, 12-135-601, **amend**
26 (4)(d)(III) as follows:

27 **12-135-601. Practice of a funeral director described -**

1 **definition.**

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

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

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

8 **12-135-701. Practice of a mortuary science practitioner**
9 **described - rules.**

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

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

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

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

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

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

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

27 **SECTION 24.** In Colorado Revised Statutes, 12-20-402, **amend**

1 (2) as follows:

2 **12-20-402. Immunity.**

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

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

13 **12-20-407. Unauthorized practice of profession or occupation**
14 **- penalties - exclusions.**

15 (2) The penalties for:

16 (a) Engaging in unauthorized activities regarding ~~mortuaries~~
17 FUNERAL ESTABLISHMENTS and crematories are governed by section
18 12-135-108;

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

21 **12-20-408. Judicial review.**

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

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

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

3 **12-140-102. Definitions.**

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

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

6 (II) A funeral establishment registered in accordance with section
7 12-135-110; OR

8 (III) ~~A crematory registered in accordance with section~~
9 ~~12-135-303; or~~

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

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

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

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

18 **12-140-107. Discipline.**

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

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

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

1 **SECTION 30.** In Colorado Revised Statutes, **amend** 18-13-101
2 as follows:

3 **18-13-101. Abuse of a corpse - penalty.**

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

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

9 (b) Treats the body or remains of any person in a way that would
10 outrage normal family sensibilities; OR

11 (c) TRANSPORTS THE BODY OR REMAINS OF A PERSON IN A WAY
12 THAT:

13 (I) FAILS TO ADEQUATELY REFRIGERATE OR OTHERWISE PRESERVE
14 THE BODY OR REMAINS; OR

15 (II) INVOLVES STACKING OF HUMAN REMAINS.

16 (2) Abuse of a corpse is a class **6 5** felony.

17 (3) (a) A defendant may not be convicted of both abuse of a
18 corpse, as described in subsection (1) of this section, and tampering with
19 a deceased human body, as described in section 18-8-610.5 (1), if the act
20 arises out of a single incident.

21 (b) If a defendant is charged with both abuse of a corpse, as
22 described in subsection (1) of this section, and tampering with a deceased
23 human body, as described in section 18-8-610.5 (1), the court shall
24 proceed pursuant to section 18-1-408.

25 **SECTION 31.** In Colorado Revised Statutes, 24-34-104, **repeal**
26 (30)(a)(X) and (34)(a)(IX); and **add** (32)(a)(XVI) and (32)(a)(XVII) as
27 follows:

1 **24-34-104. General assembly review of regulatory agencies**
2 **and functions for repeal, continuation, or reestablishment - legislative**
3 **declaration - repeal.**

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

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

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

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

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

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

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

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

1 **25-2-110. Certificates of death - electronic death registration**
2 **system - amended certificate of death following a change in gender -**
3 **rules - definitions.**

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

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

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

23 (2) This act applies to offenses committed; license and registration
24 applications filed; certificates of death initiated, completed, responded to,
25 or filed; and contracts entered into or renewed on or after the applicable
26 effective date of this act.