

**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**

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**HOUSE SPONSORSHIP**

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Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING DEATH.**

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**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.*

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.

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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)(u), (1)(v), and  
26 (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; OR

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

26 (n) To engage in willfully dishonest conduct or commit  
27 negligence in the practice of embalming, CREMATING, NATURALLY

1 REDUCING, funeral directing, or providing for final disposition that  
2 defrauds or causes injury or is likely to defraud or cause injury;

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

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

15 (u) TO COMMIT AN ACT THAT DOES NOT MEET THE GENERALLY  
16 ACCEPTED STANDARDS OF MORTUARY SCIENCE OR TO FAIL TO PERFORM AN  
17 ACT THAT IS REQUIRED TO MEET THE GENERALLY ACCEPTED STANDARDS  
18 OF MORTUARY SCIENCE;

19 (v) TO FAIL TO INCLUDE THE LICENSE NUMBER OF THE DESIGNEE  
20 OF THE FUNERAL ESTABLISHMENT IN ALL CONTRACTS FOR FUNERAL  
21 SERVICES OR FUNERAL GOODS; ■

22 (w) TO FAIL TO PROPERLY SUPERVISE AN ASSOCIATE, LICENSED  
23 PURSUANT TO SECTION 12-135-501 (7), WHO IS REQUIRED TO BE  
24 PERFORMING TASKS UNDER THE SUPERVISION OF A LICENSED FUNERAL  
25 DIRECTOR, MORTUARY SCIENCE PRACTITIONER, CREMATIONIST, NATURAL  
26 REDUCTIONIST, OR EMBALMER PURSUANT TO SECTION 12-135-501 (8);

27 (x) TO CREMATE HUMAN REMAINS IN A FACILITY UNLESS THE

1 FACILITY IS REGISTERED PURSUANT TO SECTION 12-135-110;

2 (y) TO REFUSE TO ACCEPT HUMAN REMAINS THAT ARE NOT IN A  
3 CASKET OR TO REQUIRE HUMAN REMAINS TO BE PLACED IN A CASKET AT  
4 ANY TIME; OR

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

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

10 **12-135-107. Consumer protection.**

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

16 (5) A CONTRACT FOR FUNERAL SERVICES ENTERED INTO BY A  
17 DESIGNEE MUST INCLUDE THE LICENSE NUMBER OF THE FUNERAL  
18 DIRECTOR, CREMATIONIST, EMBALMER, MORTUARY SCIENCE  
19 PRACTITIONER, OR NATURAL REDUCTIONIST.

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

22 **12-135-109. Exceptions - safe harbor.**

23 (2) (b) If human remains are refrigerated or embalmed under  
24 subsection (2)(a) of this section, the body must be interred within, frozen  
25 within, or cremated within ~~thirty~~ SIXTY days after death or the process of  
26 natural reduction must begin within ~~thirty~~ SIXTY days after death; except  
27 that the DIRECTOR OR A coroner WHO DOES NOT HAVE AN INTEREST IN THE

1 BUSINESS OF THE FUNERAL ESTABLISHMENT may authorize otherwise in  
2 writing. The DIRECTOR OR coroner shall not permit an exception to this  
3 subsection (2)(b) unless the applicant SEEKING THE EXCEPTION can  
4 demonstrate a legitimate delay caused by unforeseen, uncontrollable  
5 circumstances or by a criminal investigation.

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

13 (5) (a) (I) A funeral establishment, funeral director,  
14 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, or mortuary science  
15 practitioner may dispose of cremated ~~or naturally reduced~~ remains AT THE  
16 DISCRETION OF THE FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,  
17 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY  
18 SCIENCE PRACTITIONER AND at the expense of the person with the right of  
19 final disposition ~~one hundred eighty days after cremation or natural~~  
20 ~~reduction if the person was given clear prior notice of this subsection~~  
21 ~~(5)(a) and a reasonable opportunity to collect the remains, the exact~~  
22 ~~location of the final disposition and the costs associated with the final~~  
23 ~~disposition are recorded, and the recovery of the remains is possible.~~  
24 ~~Recovery of costs is limited to a reasonable amount of the costs actually~~  
25 ~~expended by the funeral establishment, funeral director, or mortuary~~  
26 ~~science practitioner.~~ YEAR AFTER CREMATION IF:

27 (A) THE PERSON WAS GIVEN CLEAR PRIOR NOTICE OF THIS

1 SUBSECTION (5)(a)(I);

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

4 (C) THE PERSON WAS GIVEN A REASONABLE OPPORTUNITY TO  
5 COLLECT THE CREMAINS;

6 (D) THE FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,  
7 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY  
8 SCIENCE PRACTITIONER HAS MADE A REASONABLE AND DOCUMENTED  
9 EFFORT TO CONTACT THE PERSON; AND

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

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

23 ~~(III) If cremated remains are not claimed by the person with the~~  
24 ~~right of final disposition within three years after cremation, a funeral~~  
25 ~~establishment, funeral director, or mortuary science practitioner may~~  
26 ~~dispose of the remains in an unrecoverable manner by placing the remains~~  
27 ~~in an ossuary or by scattering the remains in a dedicated cemetery;~~

1 ~~scattering garden, or consecrated ground used exclusively for these~~  
2 ~~purposes.~~ A FUNERAL ESTABLISHMENT, FUNERAL DIRECTOR,  
3 CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR MORTUARY  
4 SCIENCE PRACTITIONER MAY DISPOSE OF NATURALLY REDUCED REMAINS  
5 AT THE DISCRETION OF THE FUNERAL ESTABLISHMENT, FUNERAL  
6 DIRECTOR, CREMATIONIST, NATURAL REDUCTIONIST, EMBALMER, OR  
7 MORTUARY SCIENCE PRACTITIONER AND AT THE EXPENSE OF THE PERSON  
8 WITH THE RIGHT OF FINAL DISPOSITION ONE HUNDRED EIGHTY DAYS AFTER  
9 NATURAL REDUCTION IF:

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

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

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

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

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

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

26 (V) ~~If naturally reduced remains are not claimed by the person~~  
27 ~~with the right of final disposition within one hundred eighty days after~~

1 ~~natural reduction, a funeral establishment, funeral director, or mortuary~~  
2 ~~science practitioner may dispose of the remains in an unrecoverable~~  
3 ~~manner by returning the remains to the earth in a respectful manner.~~

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

12 **SECTION 6.** In Colorado Revised Statutes, 12-135-110, **amend**  
13 (1), (2)(a) introductory portion, (2)(a)(III), (2)(a)(IV) introductory  
14 portion, (2)(a)(IV)(C), (2)(a)(IV)(E), (2)(b), and (3); and **add** (2)(a)(V)  
15 and (3.5) as follows:

16 **12-135-110. Registration required.**

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

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

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

27 (IV) ~~A list of each of the following services provided at each~~

1 ~~funeral establishment location~~ WHETHER THE FUNERAL ESTABLISHMENT  
2 PROVIDES THE FOLLOWING SERVICES:

3 (C) ~~Transporting human remains to or from the funeral~~  
4 ~~establishment or the place of final disposition~~ CREMATING HUMAN  
5 REMAINS;

6 (E) Selling preneed contracts; AND

7 (V) THE SPECIFIC LOCATION AND A LIST OF SERVICES OFFERED AT  
8 EACH AFFILIATE LOCATION UNDER COMMON OWNERSHIP WITH THE  
9 FUNERAL ESTABLISHMENT.

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

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

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

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

23 ~~(c) Be employed by the registered funeral establishment that the~~  
24 ~~designee represents;~~

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

27 ~~(e) Not be designated for more than one funeral establishment;~~

1 and

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

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

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

8 (3.5) A DESIGNEE APPOINTED FOR A REGISTERED FUNERAL  
9 ESTABLISHMENT MAY ALSO BE APPOINTED AS THE DESIGNEE FOR AN  
10 AFFILIATE LOCATION FUNERAL ESTABLISHMENT THAT IS UNDER COMMON  
11 OWNERSHIP WITH THE REGISTERED FUNERAL ESTABLISHMENT.

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

14 **12-135-112. Standards of practice - embalming - transporting.**

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

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

17 (I) IS CUSTOMARY WITHIN THE PROFESSION;

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

19 (III) DOES NOT INVOLVE STACKING HUMAN REMAINS.

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

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

25 (I) Sanitary flooring;

26 (II) Drainage;

27 (III) Ventilation; and

1 (IV) ACCESS TO refrigeration SUFFICIENT TO ACCOMMODATE THE  
2 NEEDS OF THE FUNERAL ESTABLISHMENT; and

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

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

6 **12-135-113. Custody and responsibility - rules.**

7 (2) A funeral establishment is responsible for identifying and  
8 tracking human remains from the time it takes custody of human remains  
9 until the:

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

13 (4) A funeral establishment shall not take custody of more  
14 UNEMBALMED human remains than the funeral establishment has capacity  
15 to refrigerate unless the funeral establishment maintains custody of the  
16 UNEMBALMED human remains for less than twenty-four hours.

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

19 **12-135-114. Insurance requirements.**

20 (1) A funeral establishment shall obtain and maintain a  
21 professional liability insurance policy with liability limits of at least one  
22 million dollars. The funeral establishment must submit the certificate of  
23 professional liability insurance to the director:

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

26 (b) Upon request by the director; AND

27 (c) ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION

1 (1)(c), BY ATTESTATION WHEN RENEWING THE REGISTRATION OF THE  
2 FUNERAL ESTABLISHMENT PURSUANT TO SECTION 12-135-110.

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

5 **12-135-115. Funeral service or final disposition - death**  
6 **certificate.**

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

9 (a) THE FAMILY, A FRIEND, OR A FRIEND OF THE FAMILY OF THE  
10 DECEASED INDIVIDUAL MAY CONDUCT A FUNERAL SERVICE FOR THE  
11 DECEASED INDIVIDUAL; OR

12 (b) A RELIGIOUS GROUP OR SECT MAY CONDUCT A FUNERAL  
13 SERVICE FOR AND FINAL DISPOSITION OF THE DECEASED INDIVIDUAL  
14 WITHOUT THE PARTICIPATION OF A FUNERAL DIRECTOR OR MORTUARY  
15 SCIENCE PRACTITIONER IF THE GROUP'S OR SECT'S RELIGIOUS BELIEFS  
16 REQUIRE THE SERVICE OR BURIAL WITHOUT THE PARTICIPATION OF A  
17 FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER.

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

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

24 **12-135-201. Funeral establishments in cemeteries not exempt.**

25 No person, firm, association, partnership, or corporation engaged  
26 in the ownership, operation, or management of a cemetery or mausoleum  
27 in this state that is exempt from payment of general property taxes, shall,

1 either directly or indirectly, own, manage, conduct, or operate a ~~funeral~~  
2 ~~home or mortuary~~ FUNERAL ESTABLISHMENT in the cemetery or  
3 mausoleum, or adjacent ~~thereto~~ TO THE CEMETERY OR MAUSOLEUM and  
4 in connection therewith, unless the cemetery or mausoleum and ~~funeral~~  
5 ~~home or mortuary~~ FUNERAL ESTABLISHMENT is listed for assessment  
6 purposes. The attorney general, county attorney, or any interested party  
7 may maintain injunction proceedings to prevent any violation of this  
8 section.

9           **SECTION 12.** In Colorado Revised Statutes, **repeal** 12-135-301,  
10 12-135-302, 12-135-303, and 12-135-308.

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

13           **12-135-307. Standards of practice - cremating.**

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

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

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

26           **12-135-401. Powers and duties of the director - rules.**

27           (1) In connection with a license issued pursuant to part 5 of this

1 article 135 or a registration issued pursuant to section 12-135-110, ~~or~~  
2 ~~12-135-303~~; the director may deny, suspend, refuse to renew, or revoke  
3 a license or registration pursuant to section 12-20-404 (1)(d); issue and  
4 send, by electronic mail that is actually received, a letter of admonition to  
5 the licensee or registrant under the circumstances specified in and in  
6 accordance with section 12-20-404 (4); issue a confidential letter of  
7 concern to the licensee or registrant under the circumstance specified in  
8 section 12-20-404 (5); place the licensee or registrant on probation  
9 pursuant to section 12-20-404 (1)(b); or limit the scope of practice of the  
10 registration or license under this article 135 if the licensee or registrant  
11 has:

12 (1.1) IF A PERSON LICENSED OR REGISTERED PURSUANT TO THIS  
13 ARTICLE 135 IS FOUND BY THE DIRECTOR TO HAVE VIOLATED A PROVISION  
14 OF THIS ARTICLE 135 OR A RULE ADOPTED BY THE DIRECTOR IN A MANNER  
15 THAT THE DIRECTOR DETERMINES IS TECHNICAL IN NATURE OR OTHERWISE  
16 MINOR AND INCONSEQUENTIAL, THE DIRECTOR MAY ISSUE TO THE  
17 LICENSEE OR REGISTRANT AN INFORMAL WARNING THAT DOES NOT RESULT  
18 IN ANY OTHER ACTION TAKEN BY THE DIRECTOR FOR THAT VIOLATION.

19 (2) In connection with a license issued pursuant to part 5 of this  
20 article 135 or a registration issued pursuant to section 12-135-110, ~~or~~  
21 ~~12-135-303~~; the director may deny or revoke a registration or license if  
22 the licensee, the registrant, or the designee of a registrant has a  
23 disqualifying criminal history as described in section 12-135-503. The  
24 director shall promptly notify the licensee or registrant of the revocation.

25 (3) (a) (I) The director may investigate the activities of a licensee  
26 licensed pursuant to part 5 of this article 135, or a registrant registered  
27 pursuant to section 12-135-110, ~~or 12-135-303~~, upon the director's own

1 initiative or upon receipt of a complaint or a suspected or alleged  
2 violation of this article 135.

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

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

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

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

15 (C) Upon application for a new registration.

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

22 (b) Each funeral establishment registered under section  
23 12-135-110 ~~or crematory registered under section 12-135-303~~ is deemed  
24 to have consented to any inspection authorized in this subsection (3) as  
25 a condition of the registration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 **12-135-404. Civil penalty - fines.**

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

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

15 **12-135-405.5. Licensure by endorsement.**

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

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

24 **12-135-406. Repeal - subject to review.**

25 ~~Sections~~ SECTION 12-135-110 ~~and 12-135-303~~ and this part 4 are  
26 repealed, effective September 1, ~~2029~~ 2031. Before the repeal, the  
27 regulation of persons registered to practice cremation and mortuary

1 science is scheduled for review in accordance with section 24-34-104.

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

5 **12-135-501. Licenses required - funeral director, mortuary**  
6 **science practitioner, embalmer, cremationist, and natural**  
7 **reductionist - associate license - provisional license - rules - repeal.**

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

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

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

14 (III) Demonstrate to the director that:

15 (C) The applicant qualifies for a license issued in accordance with  
16 subsection (5) of this section; **and** OR

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

19 (7) (a) ON AND AFTER JANUARY 1, 2027, AN INDIVIDUAL MAY  
20 APPLY FOR AN ASSOCIATE LICENSE TO OBTAIN THE NECESSARY PRACTICE  
21 EXPERIENCE TO MEET THE REQUIREMENTS SET FORTH IN SECTION  
22 12-135-603, 12-135-703, 12-135-803, OR 12-135-903.

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

26 (I) IF SEEKING LICENSURE PURSUANT TO SECTION 12-135-603,  
27 12-135-703, OR 12-135-803, DEMONSTRATE THAT THEY ARE ACTIVELY

1 ENROLLED IN, OR HAVE GRADUATED FROM, AN ACCREDITED MORTUARY  
2 SCIENCE SCHOOL; OR

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

4 (A) HAVE REGISTERED FOR OR COMPLETED OFFICIAL  
5 CERTIFICATION AS A CREMATORY OPERATOR FROM THE CREMATION  
6 ASSOCIATION OF NORTH AMERICA, THE INTERNATIONAL CEMETERY,  
7 CREMATION AND FUNERAL ASSOCIATION, THE NATIONAL FUNERAL  
8 DIRECTORS ASSOCIATION, OR A SUCCESSOR ORGANIZATION THAT IS  
9 APPROVED BY THE DIRECTOR; OR

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

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

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

20 (8) AN INDIVIDUAL WITH AN ASSOCIATE LICENSE MAY PERFORM  
21 ANY FUNCTION A LICENSEE IS AUTHORIZED TO PERFORM AS LONG AS SUCH  
22 FUNCTION IS PERFORMED UNDER THE SUPERVISION OF A LICENSEE, WHICH  
23 SUPERVISION THE DIRECTOR SHALL DEFINE BY RULE.

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

26 **12-135-503. Criminal history - rules.**

27 (1) Subject to section 24-5-101, a licensee or an applicant for a

1 license under this part 5 has a disqualifying criminal history if the  
2 licensee or applicant has been convicted of, plead guilty to, plead nolo  
3 contendere to, or received a deferred sentence for:

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

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

10 **12-135-508. Grounds for discipline.**

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

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

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

20 **12-135-601. Practice of a funeral director described -**  
21 **definition.**

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

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

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

1           **12-135-701. Practice of a mortuary science practitioner**  
2 **described - rules.**

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

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

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

9           **12-20-202. Licenses, certifications, and registrations - renewal**  
10 **- reinstatement - fees - occupational credential portability program**  
11 **- exceptions for military personnel, spouses, gold star military**  
12 **spouses, and dependents - rules - consideration of criminal**  
13 **convictions or driver's history - executive director authority -**  
14 **definitions.**

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

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

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

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

22           **12-20-402. Immunity.**

23           (2) ~~Any~~ A person participating in good faith in lodging or making  
24 a complaint or report or participating in any investigative or  
25 administrative proceeding pursuant to a part or article of this title 12  
26 governing a particular profession or occupation is immune from ~~any~~ civil  
27 or criminal liability that may result from that participation; except that a

1 person participating as described in this subsection (2) under article 135  
2 of this title 12 concerning ~~mortuaries~~ FUNERAL ESTABLISHMENTS and  
3 crematories is immune from only civil liability.

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

6 **12-20-407. Unauthorized practice of profession or occupation**  
7 **- penalties - exclusions.**

8 (2) The penalties for:

9 (a) Engaging in unauthorized activities regarding ~~mortuaries~~  
10 FUNERAL ESTABLISHMENTS and crematories are governed by section  
11 12-135-108;

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

14 **12-20-408. Judicial review.**

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

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

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

23 **12-140-102. Definitions.**

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

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

26 (II) A funeral establishment registered in accordance with section  
27 12-135-110; OR

1 (III) ~~A crematory registered in accordance with section~~  
2 ~~12-135-303; or~~

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

5 **12-140-103. Registration required - subject to review - repeal.**

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

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

11 **12-140-107. Discipline.**

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

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

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

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

23 **18-13-101. Abuse of a corpse - penalty.**

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

26 (a) Removes the body or remains of any person from a grave or  
27 other place of sepulcher without the consent of the person who has the

1 right to dispose of the remains pursuant to section 15-19-106; or

2 (b) Treats the body or remains of any person in a way that would

3 outrage normal family sensibilities, INCLUDING BY:

4 (I) DISMEMBERING OR MUTILATING A BODY;

5 (II) HIDING OR CONCEALING A BODY;

6 (III) IMPROPERLY ALLOWING A BODY TO DECOMPOSE;

7 (IV) IMPROPERLY DISPOSING OF A BODY, INCLUDING BY THROWING

8 THE BODY IN THE TRASH, BURNING THE BODY, OR ABANDONING THE BODY

9 ON PUBLIC OR PRIVATE PROPERTY;

10 (V) REMOVING AN ORGAN FROM A BODY WITHOUT PERMISSION,

11 EXCEPT AS PERMITTED BY INDUSTRY STANDARDS PURSUANT TO ARTICLE

12 135 OF TITLE 12;

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

14 (VII) TRANSPORTING OR STORING A BODY IN A DEGRADING

15 MANNER, WHICH MAY INCLUDE THE PILING OR STACKING OF HUMAN

16 BODIES:

17 (A) IN A MANNER THAT DOES NOT ALIGN WITH RECOGNIZED

18 INDUSTRY STANDARDS AND METHODS ACCEPTED BY INDIVIDUALS

19 LICENSED PURSUANT TO ARTICLE 135 OF TITLE 12; OR

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

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

22 (3) (a) A defendant may not be convicted of both abuse of a

23 corpse, as described in subsection (1) of this section, and tampering with

24 a deceased human body, as described in section 18-8-610.5 (1), if the act

25 arises out of a single incident.

26 (b) If a defendant is charged with both abuse of a corpse, as

27 described in subsection (1) of this section, and tampering with a deceased

1 human body, as described in section 18-8-610.5 (1), the court shall  
2 proceed pursuant to section 18-1-408.

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

6 **24-34-104. General assembly review of regulatory agencies**  
7 **and functions for repeal, continuation, or reestablishment - legislative**  
8 **declaration - repeal.**

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

11 ~~(X) The functions of the director of the division of professions~~  
12 ~~and occupations related to the registration of funeral establishments~~  
13 ~~specified in section 12-135-110 and crematories specified in section~~  
14 ~~12-135-303 and to the title protections specified in sections 12-135-111~~  
15 ~~and 12-135-304.~~

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

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

22 (XVII) THE REGULATION OF NONTRANSPLANT TISSUE BANKS BY  
23 THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE  
24 DEPARTMENT OF REGULATORY AGENCIES PURSUANT TO SECTION  
25 12-140-103.

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

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

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

6           **25-2-110. Certificates of death - electronic death registration**  
7 **system - amended certificate of death following a change in gender -**  
8 **rules - definitions.**

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

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

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

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