

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

March 26, 2024
Date

Committee on Business, Labor, & Technology.

After consideration on the merits, the Committee recommends the following:

SB24-173 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 3, line 3, before "(7)," insert "(1),".

2 Page 3, strike lines 7 through 10 and substitute:

3 "~~(1) "Alternative container" means a nonmetal receptacle or~~
4 ~~enclosure, without ornamentation or a fixed interior lining, that is~~
5 ~~designed for the encasement of human remains and is made of fiberboard,~~
6 ~~pressed wood, composition materials, or other similar materials~~
7 "ACCREDITED MORTUARY SCIENCE SCHOOL" MEANS A MORTUARY SCIENCE
8 SCHOOL THAT THE DIRECTOR DETERMINES QUALIFIES AN INDIVIDUAL FOR
9 LICENSURE UNDER SECTION 12-135-602, 12-135-702, OR 12-135-802.

10 (1.5) "ALTERNATIVE CONTAINER" MEANS A NONMETAL
11 RECEPTACLE OR ENCLOSURE, WITHOUT ORNAMENTATION OR A FIXED
12 INTERIOR LINING, THAT IS DESIGNED FOR THE ENCASEMENT OF HUMAN
13 REMAINS AND IS MADE OF FIBERBOARD, PRESSED WOOD, COMPOSITION
14 MATERIALS, OR OTHER SIMILAR MATERIALS."

15 Page 3, line 13, strike "12-125-901" and substitute "12-135-901".

16 Page 4, line 1, strike "12-125-801." and substitute "12-135-801".

17 Page 4, line 3, strike "12-125-601." and substitute "12-135-601".

18 Page 4, line 10, strike "12-125-701." and substitute "12-135-701".

19 Page 4, line 23, strike "12-125-901" and substitute "12-135-901".

1 Page 5, strike lines 21 through 25 and substitute:

2 "(2) THE DIRECTOR MAY PROMULGATE RULES TO ESTABLISH
3 APPLICATION PROCEDURES AND FORMS FOR ISSUING AND RENEWING A
4 LICENSE."

5 Page 6, strike lines 1 through 4 and substitute

6 "(I) SUBMIT TO THE DIRECTOR AN APPLICATION IN THE FORM AND
7 MANNER SPECIFIED BY AND AN APPLICATION FEE IN AN AMOUNT
8 DETERMINED BY THE DIRECTOR UNDER SECTION 12-20-105;"

9 Page 6, lines 16 and 17, strike "SUSPENSION OR REVOCATION OF" and
10 substitute "SUSPENSION OF, REVOCATION OF, OR ADVERSE ACTION
11 AGAINST".

12 Page 6, line 21, strike "SUSPENSION OR REVOCATION" and substitute
13 "SUSPENSION, REVOCATION, OR ADVERSE ACTION".

14 Page 7, line 18, strike "SIX THOUSAND FIVE HUNDRED" and substitute
15 "FOUR THOUSAND".

16 Page 7, line 23, strike "SERVED AN APPRENTICESHIP," and substitute
17 "RECEIVED WORKPLACE LEARNING EXPERIENCE,".

18 Page 7, line 24, strike "SERVED" and substitute "RECEIVED".

19 Page 7, line 25, strike "WHILE ATTENDING MORTUARY SCIENCE SCHOOL;"
20 and substitute "WITH THE HOURS DESCRIBED IN SUBSECTION (4)(b)(I) OF
21 THIS SECTION;"

22 Page 10, line 15, after "24-5-101," insert "A LICENSEE OR".

23 Page 10, line 16, before "APPLICANT" insert "LICENSEE OR".

24 Page 10, line 17, strike "OR PLEAD NOLO CONTENDERE TO:" and substitute
25 "PLEAD NOLO CONTENDERE TO, OR RECEIVED A DEFERRED SENTENCE
26 FOR:".

27 Page 10, line 19, strike "APPRENTICING" and substitute "HAVING A
28 WORKPLACE LEARNING EXPERIENCE".

29 Page 11, lines 6 and 7, strike "DISQUALIFYING AN APPLICANT FOR A

- 1 LICENSE" and substitute "DISQUALIFYING CRIMINAL HISTORY".
- 2 Page 12, line 15, strike "12;" and substitute "12 WHEN PRACTICING WITHIN
3 THE SCOPE OF THE INDIVIDUAL'S LICENSE;".
- 4 Page 12, line 16, strike "AND".
- 5 Page 12, line 17, strike "COUNSELORS." and substitute "COUNSELORS; AND
6 (f) AN INDIVIDUAL WHO COORDINATES FUNERAL CEREMONIES BUT
7 DOES NOT:
8 (I) PREPARE HUMAN REMAINS FOR BURIAL, EMBALMING,
9 CREMATION, OR NATURAL REDUCTION;
10 (II) OVERSEE FUNERAL HOME OR CREMATORY OPERATIONS,
11 INCLUDING FINANCIAL OR CONTRACT FUNCTIONS; OR
12 (III) PERFORM ANY DUTIES THAT REQUIRE LICENSURE UNDER THIS
13 ARTICLE 135.".
- 14 Page 16, strike lines 4 through 13.
- 15 Page 17, strike lines 22 through 26 and substitute:
16 "(g) (I) A DISQUALIFYING CRIMINAL HISTORY AS DESCRIBED IN
17 SECTION 12-135-503.".
- 18 Page 20, line 27, strike "CREMAINS" and substitute "CREMATED REMAINS".
- 19 Page 21, line 5, strike "CREMAINS" and substitute "CREMATED REMAINS".
- 20 Page 25, line 9, strike "SERVED AN APPRENTICESHIP," and substitute
21 "RECEIVED WORKPLACE LEARNING EXPERIENCE,".
- 22 Page 25, line 10, strike "SERVED" and substitute "RECEIVED".
- 23 Page 26, line 19, strike "SERVED AN APPRENTICESHIP," and substitute
24 "RECEIVED WORKPLACE LEARNING EXPERIENCE,".
- 25 Page 26, line 20, strike "SERVED" and substitute "RECEIVED".
- 26 Page 28, line 9, strike "SERVED AN APPRENTICESHIP," and substitute
27 "RECEIVED WORKPLACE LEARNING EXPERIENCE,".
- 28 Page 28, line 10, strike "SERVED" and substitute "RECEIVED".

1 Page 29, line 18, after "ASSOCIATION," insert "THE NATIONAL FUNERAL
2 DIRECTORS ASSOCIATION,".

3 Page 29, line 25, after "ASSOCIATION," insert "THE NATIONAL FUNERAL
4 DIRECTORS ASSOCIATION,".

5 Page 30, strike lines 23 through 26 and substitute:

6 "(e) Not be designated for more than one funeral establishment;
7 ~~unless the additional establishment is operated under common ownership~~
8 ~~and management and no funeral establishment is more than sixty miles~~
9 ~~from another establishment held under the same ownership conditions."~~

10 Page 31, line 1, strike "BE" and substitute "ON OR AFTER JANUARY 1,
11 2026, BE".

12 Page 31, line 3, strike "BE" and substitute "ON OR AFTER JANUARY 1,
13 2026, BE".

14 Page 32, strike lines 20 through 22 and substitute "THE REGISTRANT, or
15 the designee ~~thereof~~ OF A REGISTRANT has ~~been convicted of a felony~~
16 ~~related to another activity regulated under this article 135 or a felony of~~
17 ~~moral turpitude~~ A DISQUALIFYING CRIMINAL HISTORY AS DESCRIBED IN
18 SECTION 12-135-503. The director shall promptly notify the ~~funeral~~".

19 Page 33, strike lines 24 and 25 and substitute "implement this ~~section;~~
20 ~~sections 12-135-110, 12-135-111, 12-135-303, and 12-135-304, and this~~
21 ~~part 4.~~".

22 Strike "APPROVED" and substitute "ACCREDITED" on: **Page 25**, line 3;
23 **Page 26**, line 12; **Page 28**, line 3.

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