

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-1070.02 Jery Payne x2157

**HOUSE BILL 19-1304**

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**HOUSE SPONSORSHIP**

**Valdez D. and Will,**

**SENATE SPONSORSHIP**

**Winter and Crowder,**

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE DEATH REIMBURSEMENT PAID BY AN AGENCY THAT**  
102             **PROVIDES PUBLIC ASSISTANCE FOR THE FINAL DISPOSITION OF**  
103             **A DECEASED INDIGENT PERSON.**

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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>.)*

Current law requires counties to give an indigent deceased person final disposition. The county may be reimbursed for this cost so long as the cost does not exceed \$2,500, but if the cost exceeds \$2,500, the county is not reimbursed. The bill:

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

- ! Raises this amount to \$3,000; and
- ! Allows the county to be reimbursed, up to \$3,000, when the cost exceeds \$3,000.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-129, **amend** (4)  
3 as follows:

4 **26-2-129. Funeral - final disposition - cremation expenses -**  
5 **death reimbursement - definitions.** (4) (a) The total amount of a death  
6 reimbursement paid by the county department or state department  
7 pursuant to this section ~~shall not exceed~~ IS LIMITED TO one thousand five  
8 hundred dollars, and the combined charge of a funeral, ~~or~~ cremation, ~~or~~  
9 burial, or any combination thereof ~~shall not exceed two thousand five~~  
10 ~~hundred~~ OF THESE CHARGES IS LIMITED TO THREE THOUSAND dollars.

11 (b) Contributions from nonresponsible persons may be made  
12 without jeopardizing payment under this section and ~~shall be~~ ARE counted  
13 as an offset to the maximum combined charges of the providers.

14 (c) If the combined charges from the providers exceed ~~two~~  
15 ~~thousand five hundred~~ THREE THOUSAND dollars, no death reimbursement  
16 ~~shall be~~ IS paid by the state or county department; EXCEPT THAT, IF THE  
17 COMBINED CHARGES EXCEED THREE THOUSAND DOLLARS AND THE  
18 COUNTY IS PAYING ANY AMOUNT OF THE COMBINED CHARGES, THE DEATH  
19 REIMBURSEMENT IS PAID, BUT MUST NOT EXCEED THREE THOUSAND  
20 DOLLARS.

21 (d) Providers may seek contributions from nonresponsible persons  
22 only to the extent that ~~moneys are~~ MONEY IS available from ~~such~~ THESE  
23 parties.

24 **SECTION 2. Act subject to petition - effective date -**

1     **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
2     the expiration of the ninety-day period after final adjournment of the  
3     general assembly (August 2, 2019, if adjournment sine die is on May 3,  
4     2019); except that, if a referendum petition is filed pursuant to section 1  
5     (3) of article V of the state constitution against this act or an item, section,  
6     or part of this act within such period, then the act, item, section, or part  
7     will not take effect unless approved by the people at the general election  
8     to be held in November 2020 and, in such case, will take effect on the  
9     date of the official declaration of the vote thereon by the governor.

10           (2) This act applies to final dispositions made on or after the  
11     applicable effective date of this act.