

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

REREVISED

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

LLS NO. 21-0965.01 Alana Rosen x2606

HOUSE BILL 21-1277

HOUSE SPONSORSHIP

Valdez D. and Will, Benavidez, Bennett, Duran, Exum, Hooton, Ricks, Soper

SENATE SPONSORSHIP

Liston and Pettersen, Bridges, Moreno

House Committees

State, Civic, Military, & Veterans Affairs

Senate Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING DEFINITIONS FOR REIMBURSEMENT OF FINAL**
102 **DISPOSITION EXPENSES OF ELIGIBLE ASSISTANCE RECIPIENTS.**

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 does not include the definitions "public assistance" and "medical assistance" relating to death reimbursements for funeral, cremation, and burial expenses for deceased public assistance or medical assistance recipients. The bill adds the definitions "public assistance" and "medical assistance" to clarify who qualifies as a public assistance or medical assistance recipient. Current law authorizes death

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

SENATE
3rd Reading Unamended
May 21, 2021

SENATE
2nd Reading Unamended
May 20, 2021

HOUSE
3rd Reading Unamended
May 11, 2021

HOUSE
2nd Reading Unamended
May 10, 2021

reimbursements for a person who has applied or was eligible for public benefits. The bill requires the person to be receiving the public benefits.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-2-129, **amend** (2)
3 introductory portion and (2)(c); and **add** (2)(f.5) and (2)(i) as follows:

4 **26-2-129. Funeral - burial - cremation expenses - death**
5 **reimbursement - definitions.** (2) ~~For purposes of~~ AS USED IN this
6 section, unless the context otherwise requires:

7 (c) "Decedent" means a deceased recipient of ~~or applicant for~~
8 public assistance or medical assistance who was receiving ~~or was eligible~~
9 ~~to receive~~ benefits at the time of death.

10 (f.5) "MEDICAL ASSISTANCE" MEANS A PAYMENT ON BEHALF OF
11 ELIGIBLE RECIPIENTS WHO ARE ENROLLED IN THE COLORADO MEDICAL
12 ASSISTANCE PROGRAM ESTABLISHED IN ARTICLES 4, 5, AND 6 OF TITLE
13 25.5, WHICH IS FUNDED THROUGH TITLE XIX OF THE FEDERAL "SOCIAL
14 SECURITY ACT", 42 U.S.C. SEC. 1396U-1.

15 (i) "PUBLIC ASSISTANCE" MEANS PAYMENTS TO ELIGIBLE
16 RECIPIENTS OF THE PROGRAMS FOR OLD AGE PENSIONS CREATED IN
17 ARTICLE XXIV OF THE STATE CONSTITUTION, EXCEPT FOR THE OLD AGE
18 PENSION HEALTH AND MEDICAL CARE PROGRAM DESCRIBED IN SECTION
19 25.5-2-101; THE COLORADO WORKS PROGRAM CREATED IN PART 7 OF THIS
20 ARTICLE 2; THE AID TO THE NEEDY DISABLED PROGRAM CREATED IN
21 SECTION 26-2-119; THE PROGRAM FOR AID TO THE BLIND CREATED IN
22 SECTION 26-2-120; AND THE HOME CARE ALLOWANCE PROGRAM CREATED
23 IN SECTION 26-2-122.3.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.