

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 22-1073

BY REPRESENTATIVE(S) Roberts and Soper, McCluskie, Bird, Bockenfeld, Boesenecker, Caraveo, Cutter, Froelich, Gonzales-Gutierrez, Kipp, Lindsay, Ricks, Snyder, Sullivan, Titone, Valdez A., Van Winkle; also SENATOR(S) Coram and Donovan, Fields, Gardner, Gonzales, Hansen, Moreno.

CONCERNING AUTHORIZATION TO ENTER THE PREMISES OF AN ESTABLISHMENT THAT PROVIDES SERVICES RELATED TO DEAD HUMAN BODIES IN ORDER TO PERFORM AN INSPECTION.

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

SECTION 1. In Colorado Revised Statutes, 12-135-401, **amend** (3) as follows:

12-135-401. Powers and duties of the director - rules. (3) (a) The director may investigate the activities of a funeral establishment or crematory upon ~~his or her~~ THE DIRECTOR'S own initiative or upon receipt of a complaint or a suspected or alleged violation of this article 135. THE DIRECTOR MAY CONTRACT WITH A PRIVATE PARTY TO PERFORM AN INSPECTION. TO PERFORM AN INSPECTION, THE DIRECTOR OR A PRIVATE PARTY WITH WHOM THE DIRECTOR CONTRACTS TO PERFORM THE INSPECTION

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

MAY ENTER THE PREMISES OF A FUNERAL ESTABLISHMENT OR CREMATORY WITH FULL RIGHT OF INGRESS AND EGRESS DURING BUSINESS HOURS.

(b) EACH FUNERAL ESTABLISHMENT REGISTERED UNDER SECTION 12-135-110 OR CREMATORY REGISTERED UNDER SECTION 12-135-303 IS DEEMED TO HAVE CONSENTED TO ANY INSPECTION AUTHORIZED IN THIS SUBSECTION (3) AS A CONDITION OF THE REGISTRATION.

(c) Section 12-20-403 applies to investigations, hearings, and other proceedings under this section.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO