

## CHAPTER 92

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**CONSUMER AND COMMERCIAL TRANSACTIONS**


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## HOUSE BILL 25-1217

BY REPRESENTATIVE(S) Soper and Titone, Bacon, Bird, Boesenecker, Brown, Duran, Hamrick, Lieder, Lindsay;  
also SENATOR(S) Catlin and Roberts, Cutter, Jodeh, Kipp, Michaelson Jenet, Wallace, Weissman.

**AN ACT**

**CONCERNING PROTECTIONS FOR CONSUMERS WHO UTILIZE FUNERAL SERVICES, AND, IN CONNECTION THEREWITH, DISTINGUISHING TRANSPORTATION PROTECTION AGREEMENTS FROM PRENEED CONTRACTS, ESTABLISHING A VIOLATION UNDER THE "COLORADO CONSUMER PROTECTION ACT" AND UNDER THE "MORTUARY SCIENCE CODE" FOR A FUNERAL DIRECTOR WHO COMMITS THEFT OF A CLIENT'S MONEY, AND CHANGING THE DATE BY WHICH AN APPLICANT MUST DEMONSTRATE FOUR THOUSAND HOURS' WORK EXPERIENCE TO RECEIVE A PROVISIONAL LICENSE.**

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

**SECTION 1.** In Colorado Revised Statutes, 10-15-102, **amend** (13)(b); and **add** (16.5) as follows:

**10-15-102. Definitions.** As used in this article 15, unless the context otherwise requires:

(13) (b) "Preneed contract" does not include:

(I) A contract for merchandise whereby the buyer takes physical possession of the merchandise at the time of entering into the contract; OR

(II) A TRANSPORTATION PROTECTION AGREEMENT.

(16.5) "TRANSPORTATION PROTECTION AGREEMENT" MEANS AN AGREEMENT THAT PRIMARILY PROVIDES FOR THE COORDINATION AND ARRANGEMENT, BY A THIRD PARTY THAT IS NOT A GENERAL PROVIDER, OF SERVICES RELATED TO:

(a) THE PREPARATION OF HUMAN REMAINS FOR THE PURPOSE OF TRANSPORTATION; OR

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*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.*

(b) THE TRANSPORTATION OF HUMAN REMAINS.

**SECTION 2.** In Colorado Revised Statutes, **add** 6-1-738 as follows:

**6-1-738. Funeral directors - theft of client funds - deceptive trade practice.**

A FUNERAL DIRECTOR, AS DEFINED IN SECTION 12-135-103 (15), ENGAGES IN A DECEPTIVE TRADE PRACTICE WHEN THE FUNERAL DIRECTOR COMMITS THEFT, AS DESCRIBED IN SECTION 18-4-401, OF MONEY THAT A CLIENT OR PROSPECTIVE CLIENT HAS PAID TO THE FUNERAL DIRECTOR IN EXCHANGE FOR FUNERAL SERVICES, AS DEFINED IN SECTION 12-135-103 (18).

**SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add** (1)(jjjj) as follows:

**6-1-105. Unfair or deceptive trade practices - definitions.** (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(jjjj) VIOLATES SECTION 6-1-738.

**SECTION 4.** In Colorado Revised Statutes, 12-135-105, **add** (1)(t) as follows:

**12-135-105. Unlawful acts.** (1) It is unlawful:

(t) FOR A FUNERAL DIRECTOR TO VIOLATE SECTION 6-1-738.

**SECTION 5.** In Colorado Revised Statutes, 12-135-501, **amend** (4)(b)(I) as follows:

**12-135-501. Licenses required - funeral director, mortuary science practitioner, embalmer, cremationist, and natural reductionist - provisional license - rules - repeal.** (4) (b) To be issued a provisional license, an applicant must demonstrate that the applicant:

(I) Has obtained at least four thousand hours of work experience equivalent to the work performed by a funeral director, mortuary science practitioner, embalmer, cremationist, or natural reductionist, as applicable, before January 1, ~~2026~~ 2027;

**SECTION 6. Act subject to petition - effective date - applicability.** (1) 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 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to offenses committed on or after the applicable effective date of this act.

Approved: April 18, 2025