

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

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 22-0052.01 Jery Payne x2157

**HOUSE BILL 22-1073**

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**HOUSE SPONSORSHIP**

**Roberts and Soper, McCluskie**

**SENATE SPONSORSHIP**

**Coram and Donovan,**

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**House Committees**  
Business Affairs & Labor

**Senate Committees**

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**A BILL FOR AN ACT**

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

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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>.)*

The bill authorizes the director of the division of professions and occupations to enter the premises of registered funeral establishments and crematories during business hours to conduct inspections. The director may contract with a third party to perform the inspection.

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.*

HOUSE  
2nd Reading Unamended  
February 15, 2022

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

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

4           **12-135-401. Powers and duties of the director - rules.**

5 (3) (a) The director may investigate the activities of a funeral  
6 establishment or crematory upon ~~his or her~~ THE DIRECTOR'S own initiative  
7 or upon receipt of a complaint or a suspected or alleged violation of this  
8 article 135. THE DIRECTOR MAY CONTRACT WITH A PRIVATE PARTY TO  
9 PERFORM AN INSPECTION. TO PERFORM AN INSPECTION, THE DIRECTOR OR  
10 A PRIVATE PARTY WITH WHOM THE DIRECTOR CONTRACTS TO PERFORM  
11 THE INSPECTION MAY ENTER THE PREMISES OF A FUNERAL ESTABLISHMENT  
12 OR CREMATORY WITH FULL RIGHT OF INGRESS AND EGRESS DURING  
13 BUSINESS HOURS.

14           (b) EACH FUNERAL ESTABLISHMENT REGISTERED UNDER SECTION  
15 12-135-110 OR CREMATORY REGISTERED UNDER SECTION 12-135-303 IS  
16 DEEMED TO HAVE CONSENTED TO ANY INSPECTION AUTHORIZED IN THIS  
17 SUBSECTION (3) AS A CONDITION OF THE REGISTRATION.

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

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

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