

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0329.01 Jessica Herrera x4218

**SENATE BILL 23-020**

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**SENATE SPONSORSHIP**

**Coleman,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**

Health & Human Services  
Finance

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE TIMELY ISSUANCE OF A CERTIFIED DEATH**  
102     **CERTIFICATE.**

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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 a certificate of death for every death that occurs in Colorado to be filed with the state registrar within 5 days after the death occurs. The funeral director is responsible for filing the death certificate and must obtain the medical certification necessary to complete the portion of the certificate pertaining to the cause of death from a qualified individual. Physicians must complete, sign, and return to the

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

funeral director all medical certification within 48 hours after a death occurs. If an inquiry is required to be made to a coroner, the coroner must determine the cause of death and complete and sign the medical certification within 48 hours after taking charge of the case. If the cause of death cannot be determined within 48 hours after a death, the medical certification must be completed as provided by rule.

The bill changes the time frame required to file a certificate of death with the state registrar from 5 days to 48 hours with limited exceptions. It also imposes a requirement that a funeral director file the certificate within 48 hours if they are able to obtain the medical certification from a qualified individual within those 48 hours. The bill requires that a qualified individual complete the medical certification within 36 hours after the death has occurred unless an inquiry is required to be made to a coroner. The coroner shall determine the cause of death and complete the medical certification within 48 hours after taking charge of the case unless in good faith, the coroner determines that additional time is needed, in which case, the coroner must determine the cause of death and complete the medical certification as soon as practicable.

**Section 2** of the bill requires the department of public health and environment, upon request, to provide a certified death certificate to an applicant having a direct and tangible interest in the certified copy of the record of death within 24 hours.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25-2-110, **amend**  
3 (1)(a), (3)(a), (4), and (5); and **add** (1)(b)(III) and (5.5) as follows:

4 **25-2-110. Certificates of death.** (1) (a) A certificate of death for  
5 each death, including a stillborn death, that occurs in Colorado must be  
6 filed with the state registrar or as otherwise directed by the state registrar,  
7 within ~~five days~~ after the death occurs SEVENTY-TWO HOURS OF  
8 ASSUMING CUSTODY OF A DEAD BODY, STILLBORN FETUS, OR DEAD FETUS  
9 and prior to final disposition, EXCEPT WHEN INQUIRY IS REQUIRED BY  
10 SUBSECTION (5.5) OF THIS SECTION OR ANY PROVISION OF SECTION  
11 30-10-606 OTHER THAN SECTION 30-10-606 (1)(b) OR WHEN A CORONER,  
12 A MEDICAL EXAMINER, A FORENSIC PATHOLOGIST, OR OTHER QUALIFIED  
13 INDIVIDUAL DETERMINES THAT ADDITIONAL TIME IS NECESSARY TO MAKE

1     A PROPER INQUIRY TO DETERMINE THE CAUSE AND MANNER OF DEATH. IN  
2     SUCH A SITUATION, THE CORONER, MEDICAL EXAMINER, FORENSIC  
3     PATHOLOGIST, OR OTHER QUALIFIED INDIVIDUAL SHALL COMPLETE AND  
4     SIGN THE CERTIFICATE OF DEATH AS SOON AS PRACTICABLE. The state  
5     registrar shall register the certificate if it has been completed in  
6     accordance with this section. Every certificate of death must identify the  
7     decedent's social security number, if available. If the place of death is  
8     unknown but the dead body is found in Colorado, the certificate of death  
9     must be completed and filed in accordance with this section. The place  
10    where the body is found must be shown as the place of death. If the date  
11    of death is unknown, the date must be determined by approximation.

12           (1) (b) (III) ANY INDIVIDUAL REQUIRED TO INITIATE, COMPLETE,  
13    RESPOND TO, OR FILE A DEATH CERTIFICATE PURSUANT TO THIS SECTION  
14    MUST USE THE ELECTRONIC DEATH REGISTRATION SYSTEM USED BY THE  
15    STATE REGISTRAR.

16           (3) (a) The funeral director or person acting as such who first  
17    assumes custody of a dead body, stillborn fetus, or dead fetus ~~shall be~~ IS  
18    responsible for the filing of the death certificate required by subsection  
19    (1) of this section. ~~He or she~~ WITHIN SEVENTY-TWO HOURS AFTER RECEIPT  
20    OF THE ELECTRONIC DEATH REGISTRATION REQUEST UNLESS THE  
21    PHYSICIAN, THEIR ASSOCIATE PHYSICIAN, THE CHIEF MEDICAL OFFICER OF  
22    THE INSTITUTION IN WHICH THE DEATH OCCURRED, OR THE PHYSICIAN WHO  
23    PERFORMS AN AUTOPSY UPON THE DECEDENT IS UNABLE TO COMPLETE THE  
24    MEDICAL CERTIFICATION WITHIN THE REQUIRED TIME FRAME. THE  
25    FUNERAL DIRECTOR shall obtain the personal data required by the  
26    certificate from the next of kin or the best qualified person or source  
27    available. ~~He or she~~ THE FUNERAL DIRECTOR shall obtain the medical

1 certification necessary to complete the portion of the certificate pertaining  
2 to the cause of death from the best qualified person or source available,  
3 pursuant to subsection (4) of this section.

4 (4) Except when inquiry is required by section 30-10-606, C.R.S.,  
5 ANY PROVISION OF SECTION 30-10-606 OTHER THAN SECTION 30-10-606  
6 (1)(b), the physician in charge of the patient's care for the illness or  
7 condition that resulted in death shall complete, sign, and return to the  
8 funeral director or person acting as such all medical certification within  
9 ~~forty-eight hours after a death occurs~~ SEVENTY-TWO HOURS AFTER  
10 RECEIPT OF THE ELECTRONIC DEATH REGISTRATION REQUEST. In the  
11 absence of said physician or with ~~his or her~~ THE PHYSICIAN'S approval, the  
12 certificate may be completed and signed by ~~his or her~~ AN associate  
13 physician, by the chief medical officer of the institution in which the  
14 death occurred, or by the physician who performed an autopsy upon the  
15 decedent, if such individual has access to the medical history of the case,  
16 if ~~he or she~~ SAID INDIVIDUAL views the decedent at or after the time of  
17 death, and if the death is due to natural causes. IF THE DEATH IS OR MAY  
18 BE DUE TO UNNATURAL CAUSES, A PHYSICIAN REQUIRED TO COMPLETE,  
19 SIGN, AND RETURN A DEATH CERTIFICATE IN ACCORDANCE WITH THIS  
20 SUBSECTION (4) SHALL NOTIFY THE CORONER OR THE MEDICAL EXAMINER  
21 WHEN AN INQUIRY OR AN AUTOPSY IS REQUIRED TO BE PERFORMED  
22 PURSUANT TO SECTIONS 30-10-606 AND 30-10-606.5. If an autopsy is  
23 performed, the certification shall indicate whether the decedent was  
24 pregnant at the time of death, and said information shall be reported on  
25 the death certificate as required by subsection (9) of this section. THE  
26 PHYSICIAN OR, IN THEIR ABSENCE, THEIR DESIGNEE IN ACCORDANCE WITH  
27 THIS SUBSECTION (4), SHALL COMPLETE THE MEDICAL CERTIFICATION

1     REQUIRED BY THIS SUBSECTION (4) USING THE ELECTRONIC DEATH  
2     REGISTRATION SYSTEM USED BY THE DEPARTMENT OF PUBLIC HEALTH AND  
3     ENVIRONMENT AND THE STATE REGISTRAR PURSUANT TO SECTION  
4     25-2-110 (1)(b)(I).

5             (5) When inquiry is required by section 30-10-606, ~~C.R.S.~~, the  
6     coroner shall determine the cause of death and shall complete and sign the  
7     medical certification within forty-eight hours after ~~taking charge of the~~  
8     ~~case~~ RECEIPT OF THE ELECTRONIC DEATH REGISTRATION REQUEST, EXCEPT  
9     AS PERMITTED BY SUBSECTION (5.5) OF THIS SECTION. If an autopsy is  
10    performed, the certification shall indicate whether the decedent was  
11    pregnant at the time of death, and said information shall be reported on  
12    the death certificate as required by subsection (9) of this section. A  
13    CORONER, MEDICAL EXAMINER, FORENSIC PATHOLOGIST, OR OTHER  
14    QUALIFIED INDIVIDUAL THAT DETERMINES THE CAUSE OF DEATH AND  
15    COMPLETES THE MEDICAL CERTIFICATION IN ACCORDANCE WITH THIS  
16    SUBSECTION (5) MUST USE THE ELECTRONIC DEATH REGISTRATION SYSTEM  
17    USED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND  
18    THE STATE REGISTRAR PURSUANT TO SECTION 25-2-110 (1)(b)(I).

19             (5.5) A CORONER IS NOT REQUIRED TO COMPLY WITH SUBSECTION  
20    (5) OF THIS SECTION IF THE CORONER, IN GOOD FAITH, DETERMINES THAT  
21    ADDITIONAL TIME IS NEEDED TO MAKE A PROPER INQUIRY TO DETERMINE  
22    THE CAUSE AND MANNER OF DEATH OF ANY INDIVIDUAL IN THE CORONER'S  
23    JURISDICTION WHO HAS DIED UNDER ANY CIRCUMSTANCE SPECIFIED IN  
24    SECTION 30-10-606 (1), OR IF THE CORONER IS REQUIRED TO PERFORM A  
25    FORENSIC AUTOPSY AS REQUIRED BY SECTION 30-10-606.5. IN THESE  
26    SITUATIONS, A CORONER SHALL DETERMINE THE CAUSE OF DEATH AND  
27    SHALL COMPLETE AND SIGN THE MEDICAL CERTIFICATION OF A DEATH

1 CERTIFICATE AS SOON AS IS PRACTICABLE AND IN ACCORDANCE WITH  
2 SECTION 25-2-110 (6).

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4       **SECTION 2. Act subject to petition - effective date.** This act  
5 takes effect at 12:01 a.m. on the day following the expiration of the  
6 ninety-day period after final adjournment of the general assembly; except  
7 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
8 of the state constitution against this act or an item, section, or part of this  
9 act within such period, then the act, item, section, or part will not take  
10 effect unless approved by the people at the general election to be held in  
11 November 2024 and, in such case, will take effect on the date of the  
12 official declaration of the vote thereon by the governor.