

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 4, 2024
Date

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB24-1335 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 7, after line 8 insert:

2 "SECTION 9. In Colorado Revised Statutes, 12-135-104, **add**
3 (1.5) as follows:

4 **12-135-104. Funeral establishment - subcontractor.** (1.5) A
5 FUNERAL ESTABLISHMENT SHALL HAVE A WRITTEN CONTRACT WITH ALL
6 SUBCONTRACTORS OR AGENTS. THE CONTRACT MUST BE SIGNED BY THE
7 ESTABLISHMENT'S DESIGNEE AND MADE, UPON REQUEST, AVAILABLE TO A
8 CONSUMER THAT IS AFFECTED BY THE CONTRACT OR THE DIRECTOR."

9 Renumber succeeding sections accordingly.

10 Page 7, line 19, strike "(4)(b)" and substitute "(4)(b); and **add (6)**".

11 Page 7, after line 27 insert:

12 "(6) THIS PART 1 DOES NOT APPLY TO OR INTERFERE WITH CRYONIC
13 PRESERVATION OF HUMAN REMAINS IF DONE PURSUANT TO RULE.

14 **SECTION 12.** In Colorado Revised Statutes, 12-135-112, **repeal**
15 (1)(a); and **add (4)** as follows:

16 **12-135-112. Standards of practice - embalming - transporting.**

17 (1) A funeral establishment that performs embalming shall:

18 (a) ~~Maintain a sanitary preparation room with sanitary flooring,~~
19 ~~drainage, and ventilation;~~

20 (4) A FUNERAL ESTABLISHMENT SHALL MAINTAIN A SANITARY
21 PREPARATION ROOM WITH SANITARY FLOORING, DRAINAGE, VENTILATION,
22 AND REFRIGERATION AND OTHER EQUIPMENT NECESSARY TO MAINTAIN
23 SANITARY CONDITIONS.

1 **SECTION 13.** In Colorado Revised Statutes, 12-135-113, **add** (4)
2 as follows:

3 **12-135-113. Custody and responsibility - rules.** (4) A FUNERAL
4 ESTABLISHMENT SHALL NOT TAKE CUSTODY OF MORE HUMAN REMAINS
5 THAN THE FUNERAL ESTABLISHMENT HAS CAPACITY TO REFRIGERATE
6 UNLESS THE FUNERAL ESTABLISHMENT MAINTAINS CUSTODY OF THE
7 HUMAN REMAINS FOR LESS THAN TWENTY-FOUR HOURS.

8 **SECTION 14.** In Colorado Revised Statutes, **add** 12-135-114 as
9 follows:

10 **12-135-114. Insurance requirements.** (1) A FUNERAL
11 ESTABLISHMENT SHALL OBTAIN AND MAINTAIN A PROFESSIONAL LIABILITY
12 INSURANCE POLICY WITH LIABILITY LIMITS OF AT LEAST ONE MILLION
13 DOLLARS. THE FUNERAL ESTABLISHMENT MUST SUBMIT THE CERTIFICATE
14 OF PROFESSIONAL LIABILITY INSURANCE TO THE DIRECTOR:

15 (a) WITHIN THIRTY DAYS AFTER THE INITIAL REGISTRATION OF THE
16 FUNERAL ESTABLISHMENT BY THE BOARD; AND

17 (b) UPON REQUEST BY THE DIRECTOR.

18 (2) A FUNERAL ESTABLISHMENT SHALL NOTIFY THE BOARD IN
19 WRITING WITHIN THIRTY DAYS AFTER DOING ANY OF THE FOLLOWING FOR
20 THE PROFESSIONAL LIABILITY INSURANCE POLICY REQUIRED BY
21 SUBSECTION (1) OF THIS SECTION:

22 (a) CHANGING THE POLICY OR THE INSURER THAT ISSUES THE
23 POLICY; OR

24 (b) CANCELING OR SUSPENDING THE POLICY."

25 Renumber succeeding sections accordingly.

26 Page 8, after line 8 insert:

27 **"SECTION 16.** In Colorado Revised Statutes, 12-135-307,
28 **amend** (5)(b) as follows:

29 **12-135-307. Standards of practice - cremating.** (5) (b) ~~After~~
30 ~~cremation is complete, all of the cremains and reasonable recoverable~~
31 ~~residue shall be removed from the cremation chamber and processed as~~
32 ~~necessary. Anything other than the cremains shall be disposed of unless~~
33 ~~the next of kin authorizes otherwise.~~ UPON THE COMPLETION OF EACH
34 CREMATION, THE CREMATIONIST SHALL REMOVE ALL OF THE
35 RECOVERABLE RESIDUE, INsofar AS IS PRACTICABLE, OF THE CREMATION
36 PROCESS FROM THE CREMATORY AND PLACE THE RESIDUE IN A SEPARATE
37 CONTAINER SO THAT THE RESIDUE DOES NOT COMMINGLE WITH THE
38 CREMATED REMAINS OF OTHER INDIVIDUALS. THE CREMATIONIST SHALL
39 DISPOSE OF ACCUMULATED RESIDUE IN ACCORDANCE WITH THE
40 REGULATIONS OF A CEMETERY WITH A DEFINED AREA TO SCATTER

- 1 REMAINS AND RESIDUE AND ANY APPLICABLE LOCAL ORDINANCES."
- 2 Renumber succeeding section accordingly.

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