

**NO FISCAL IMPACT****Drafting Number:** LLS 11-0079**Date:** February 15, 2011**Prime Sponsor(s):** Rep. Looper  
Sen. Williams S.**Bill Status:** House Economic & Business Development  
**Fiscal Analyst:** Josh Abram (303-866-3561)**TITLE:** CONCERNING THE REGULATION OF PERSONS WHO DISPOSE OF DEAD HUMAN BODIES IN THE ORDINARY COURSE OF LAWFUL BUSINESS.**Summary of Legislation**

This bill makes several modifications to Article 54 of Title 12, C.R.S., which regulates mortuaries, crematoriums, and the final disposition of dead human bodies. Among its provisions, this bill:

- updates the definition of cremation;
- clarifies registration requirements;
- requires a funeral establishment to notify customers when a subcontractor will handle or care for a dead human body;
- broadens title protection standards; and
- provides for the final disposition of unclaimed human remains.

The bill takes effect August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed.

**Assessment**

The bill will have no impact on the regulatory functions of the Department of Regulatory Agencies or any other state agency. The bill will not result in any change in state revenue or state expenditures and is assessed as having no fiscal impact.

**Departmental Differences.**

The DORA believes the bill requires the regulation of religious institutions that provide memorial services to the public, insofar as these institutions provide services to someone who is not a member of the religious institution's congregation. Currently, Section 12-54-108 (2)(b), C.R.S., exempts religious sects from regulation under the Mortuary Science Code. House Bill 11-1178 makes changes to definitions but does not change this basic provision of current law. This fiscal note concludes that the department is not required to regulate religious institutions, and the estimate of fiscal impacts is not included in this fiscal note.

**Departments Contacted**

Regulatory Agencies