

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 10-1275

BY REPRESENTATIVE(S) Baumgardner, Acree, Labuda, Ryden,
Schafer S., Todd;
also SENATOR(S) Newell, Tochtrop.

CONCERNING A REQUIREMENT THAT THE LOCATION OF A PRIVATE BURIAL BE
RECORDED.

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

SECTION 1. 25-2-111 (1), Colorado Revised Statutes, is amended, and the said 25-2-111 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

25-2-111. Dead bodies - disposition - removal from state - records. (1) Any person requested to act as funeral director for a dead body or otherwise whoever first assumes custody of a dead body shall, prior to final disposition of the body, obtain authorization for final disposition of the body. The office designated or established pursuant to section 25-2-103 in the county where the death occurred or, if such an office does not exist in the county where the death occurred, the coroner or the coroner's designee shall authorize final disposition of the body on a form prescribed and furnished by the state registrar. No body shall be buried, cremated, deposited in a vault or tomb, or otherwise disposed of, nor shall any body

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

be removed from this state, until such authorization has been obtained, completed, and approved. THE CORONER OR THE CORONER'S DESIGNEE SHALL INCLUDE IN THE AUTHORIZATION NOTICE OF THE REQUIREMENTS OF SUBSECTION (7) OF THIS SECTION.

(7) (a) THE OWNER OF LAND THAT IS USED TO INTER A DEAD HUMAN BODY SHALL RECORD THE BURIAL WITHIN THIRTY DAYS AFTER THE BURIAL WITH THE COUNTY CLERK AND RECORDER OF THE COUNTY IN WHICH THE LAND IS SITUATED. THE OWNER SHALL RECORD THE FOLLOWING:

(I) THE DEAD PERSON'S NAME AS IT APPEARS ON THE DEATH CERTIFICATE;

(II) THE DEAD PERSON'S DATE OF BIRTH;

(III) THE DEAD PERSON'S AGE AT THE TIME OF DEATH;

(IV) THE CAUSE OF DEATH;

(V) THE NAME OF THE OWNER OR OWNERS OF THE PROPERTY WHERE THE DEAD HUMAN BODY IS INTERRED;

(VI) THE LEGAL DESCRIPTION OF THE PROPERTY WHERE THE DEAD HUMAN BODY IS INTERRED IF THE PERSON IS INTERRED ON PRIVATE PROPERTY;

(VII) THE RECEPTION NUMBER FOR THE DEATH CERTIFICATE IF RECORDED BY THE COUNTY CLERK; AND

(VIII) THE LATITUDE AND LONGITUDE COORDINATES, SUCH AS THOSE GIVEN BY A GLOBAL POSITIONING SYSTEM, THAT ARE VERIFIED BY TWO WITNESSES OR THE COUNTY CORONER, SHERIFF, OR A DESIGNEE OF THE COUNTY CORONER OR SHERIFF.

(b) THIS SUBSECTION (7) DOES NOT APPLY TO DEAD HUMAN BODIES INTERRED IN CEMETERIES, VAULTS, OR TOMBS OPERATED OR MAINTAINED BY PUBLIC ENTITIES OR BUSINESSES THAT INTER PEOPLE IN THE ORDINARY COURSE OF BUSINESS AND ARE AVAILABLE TO THE GENERAL PUBLIC.

SECTION 2. Act subject to petition - effective date -

applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 11, 2010, if adjournment sine die is on May 12, 2010); 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 shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

(2) The provisions of this act shall apply to offenses committed on or after the applicable effective date of this act.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO