

**NOTE: This bill has been prepared for the signatures 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 12-1041

BY REPRESENTATIVE(S) Labuda, Hullinghorst, Schafer S., Young, Summers, McNulty;  
also SENATOR(S) Guzman, Aguilar, Bacon, Boyd, Foster, Heath, Hodge, Morse, Newell, Nicholson, Steadman, Tochtrop, Williams S.

CONCERNING THE CREATION OF AN ELECTRONIC DEATH REGISTRATION SYSTEM IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 25-2-110, **amend** (1) as follows:

**25-2-110. Certificates of death - repeal.** (1) (a) A certificate of death for each death, including a stillborn death, ~~which~~ THAT occurs in Colorado ~~shall~~ MUST be filed with the state registrar or as otherwise directed by the state registrar, within five days after ~~such~~ THE death occurs and prior to final disposition. ~~and shall be registered~~ THE STATE REGISTRAR SHALL REGISTER THE CERTIFICATE if it has been completed in accordance with this section. Every certificate of death ~~shall~~ MUST identify the decedent's social security number, if available. If the place of death is unknown but the dead body is found in Colorado, the certificate of death ~~shall~~ MUST be completed

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

and filed in accordance with this section. The place where the body is found ~~shall~~ MUST be shown as the place of death. If the date of death is unknown, ~~it shall~~ THE DATE MUST be determined by approximation.

(b) (I) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL CREATE AND THE STATE REGISTRAR SHALL USE AN ELECTRONIC DEATH REGISTRATION SYSTEM FOR THE PURPOSE OF COLLECTING DEATH INFORMATION FROM FUNERAL DIRECTORS, CORONERS, PHYSICIANS, LOCAL REGISTRARS, HEALTH FACILITIES, AND OTHER AUTHORIZED INDIVIDUALS, AS DETERMINED BY THE DEPARTMENT. DEATH INFORMATION SUBMITTED ELECTRONICALLY BY A FUNERAL DIRECTOR, CORONER, PHYSICIAN, LOCAL REGISTRAR, HEALTH FACILITY, OR AUTHORIZED INDIVIDUAL, AS DETERMINED BY THE DEPARTMENT, TO THE ELECTRONIC DEATH REGISTRATION SYSTEM FOR PURPOSES OF FULFILLING THE REQUIREMENTS OF THIS SECTION SATISFIES THE SIGNATURE AND FILING REQUIREMENTS OF THIS SECTION AND SECTION 30-10-606, C.R.S.

(II) NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (b), THE DEPARTMENT SHALL REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE HEALTH AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE DEVELOPMENT AND IMPLEMENTATION OF THE ELECTRONIC DEATH REGISTRATION SYSTEM. THE DEPARTMENT SHALL INCLUDE IN THE REPORT INFORMATION REGARDING WHETHER THE DEPARTMENT HAS MODIFIED STAFFING LEVELS AND FEES SINCE THE IMPLEMENTATION OF THE SYSTEM. THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2014.

**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2012, the sum of \$743,940, or so much thereof as may be necessary, to be allocated to the center for health and environmental information division for the implementation of this act as follows:

(a) \$665,000 for the health statistics and vital records subdivision, operating expenses; and

(b) \$78,940 for the information technology subdivision, management and administration of OIT.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$78,940, or so much thereof as may be necessary, for allocation to the office of information technology, statewide IT management, for the provision of project management services to the department of public health and environment related to the implementation of this act. Said sum is from reappropriated funds received from the department of public health and environment out of the appropriation made in subsection (1) (b) of this section.

**SECTION 3. Act subject to petition - effective date.** This act takes 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 8, 2012, if adjournment sine die is on May 9, 2012); 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 will not take effect unless approved by the people at the general election to be held in November 2012

and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO