

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0576.01 Josh Schultz x5486

HOUSE BILL 24-1254

HOUSE SPONSORSHIP

Hamrick and Bradley, Lieder, Young

SENATE SPONSORSHIP

Smallwood,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF
102 NONTRANSPLANT TISSUE BANKS, AND, IN CONNECTION
103 THEREWITH, IMPLEMENTING RECOMMENDATIONS CONTAINED
104 IN THE 2023 SUNSET REPORT BY THE DEPARTMENT OF
105 REGULATORY AGENCIES.

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/>.)

Sunset Process - House Health and Human Services Committee. The bill implements recommendations of the department of

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.

regulatory agencies' (department) sunset review and report on the regulation of nontransplant tissue banks by:

- Continuing the regulation of nontransplant tissue banks for 9 years, to 2033; and
- Granting the director of the division of professions and occupations in the department the authority to create rules necessary for the regulation of nontransplant tissue banks.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **amend**
3 (25)(a)(XIII); and **add** (34)(a)(IX) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (25) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2024:

8 (XIII) The regulation of persons registered to practice mortuary
9 science by sections 12-135-110 and 12-135-111 and cremation by
10 sections 12-135-303 and 12-135-304 and the administration thereof in
11 accordance with part 4 of article 135 of title 12; ~~and the regulation of~~
12 ~~nontransplant tissue banks by section 12-140-103;~~

13 (34) (a) The following agencies, functions, or both, are scheduled
14 for repeal on September 1, 2033:

15 (IX) THE REGULATION OF NONTRANSPLANT TISSUE BANKS BY THE
16 DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE
17 DEPARTMENT OF REGULATORY AGENCIES PURSUANT TO SECTION
18 12-140-103.

19 **SECTION 2.** In Colorado Revised Statutes, 12-140-103, **amend**
20 (4) as follows:

21 **12-140-103. Registration required - subject to review - repeal.**

22 (4) This section is repealed, effective ~~September 1, 2024~~ SEPTEMBER 1,

1 2033. Before the repeal, this section is scheduled for review in
2 accordance with section 24-34-104.

3 **SECTION 3.** In Colorado Revised Statutes, **add** 12-140-109 as
4 follows:

5 **12-140-109. Rules.** THE DIRECTOR MAY PROMULGATE RULES AS
6 NECESSARY TO IMPLEMENT THIS ARTICLE 140.

7 **SECTION 4.** In Colorado Revised Statutes, 12-20-204, **amend**
8 (2)(a) and (2)(c); and **repeal** (2)(d) as follows:

9 **12-20-204. Regulator's rule-making authority.** (2) Subsection
10 (1) of this section does not apply to the following:

11 (a) Article 110 of this title 12 concerning combative sports; AND

12 (c) Article 135 of this title 12 concerning mortuaries and
13 crematories. ~~and~~

14 (d) ~~Article 140 of this title 12 concerning nontransplant tissue~~
15 ~~banks.~~

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