

Colorado's [HB 1202](#) was signed into law by the governor in summer, 2009. ([See our earlier post about this troubling bill](#)

). While the final version did amend some of the most troubling provisions, the law remains murky and contradictory. The rights of families to care for their own dead without hiring commercial funeral homes are preserved. In addition, nonprofit organizations that educate and support families who choose home funerals are exempt from state oversight. But as always, the devil is in the details. . .

The Good:

- Nonprofit organizations—such as FCA's chapter in Colorado, or Natural Transitions, a group that supports families who direct their own funerals—are exempt from registering with the state. This preserves their right to educate the public on how to prepare and care for their own dead privately.

- People who merely sell funeral goods, such as caskets and urns, aren't required to undertake onerous and irrelevant mortuary training.

The Bad:

- Sloppy grammar leads to confusion. The law says that "a person" can't "offer the services of" a "mortuary science practitioner" or "funeral director" unless that person is working out of a registered funeral establishment. But the next sentence says "Nor shall the funeral establishment sell or offer to sell funeral goods or funeral services to the public." So, what's being regulated - people or "establishments?"

- Even worse, the definition of "mortuary science practitioner" (remember, this is a category that requires registration and onerous training under the law) includes anyone who "arranges, directs, or supervises funerals, memorial services, or graveside services." Will your preacher be cited for illegally acting as a "mortuary science practitioner?" Will a secular celebrant be charged with illegal practice for renting a room, planning a buffet, and delivering a eulogy?

The Baffling — Colorado now has the most draconian training and apprenticeship standards for funeral workers of any state. Contrary to the claims of industry trade groups, these aren't just requirements that apply to people who "represent themselves" as "having certain professional titles." The law states that no one can offer the services of any of these professional designations without registering with the state, and the clear implication is that anyone who actually performs these services has to meet these ridiculously high standards:

- Anyone who calls himself a "mortuary science practitioner" has to have at least 2,000 hours

(50 weeks) practicing or interning, and has to have graduated from a mortuary school (a dubious achievement, given their low standards).

- Anyone who calls himself a funeral director must have 2,000 hours of practice or interning, and have directed 50 funerals or graveside services.

- Anyone who calls himself an embalmer must have spent 4,000 hours (almost two years!) interning, on at least 50 bodies.

- Anyone who calls himself a "cremationist" must have cremated at least 50 bodies. Um, we're sorry to sound crude, but cremating dead people is not rocket science, and it should not take 50 attempts to learn how to turn on the crematory and pulverize the remains to return them to the family.