

(1) Form. The following statutory declaration of disposition of last remains is legally sufficient:

**DECLARATION OF DISPOSITION OF LAST REMAINS**

I, (name of declarant) \_\_\_\_\_, being of sound mind and lawful age, hereby revoke all prior declarations concerning the disposition of my last remains and those provisions concerning disposition of my last remains found in a will, codicil, or power of attorney, and I declare and direct that after my death the following provisions be taken:

1. If permitted by law, my body shall be (initial ONE choice):

\_\_\_\_\_ Buried. I direct that my body be buried at \_\_\_\_\_.

\_\_\_\_\_ Cremated. I direct that my cremated remains be disposed of as follows:

\_\_\_\_\_ Entombed. I direct that my body be entombed at \_\_\_\_\_.

\_\_\_\_\_ Other. I direct that my body be disposed of as follows:

\_\_\_\_\_ Disposed of as (name of designee) \_\_\_\_\_ shall decide in writing.

If \_\_\_\_\_ is unwilling or unable to act, I nominate \_\_\_\_\_ as my alternate designee.

2. I request that the following ceremonial arrangements be made (initial desired choice or choices):

\_\_\_\_\_ I request \_\_\_\_\_ (name of designee) make all arrangements for any ceremonies, consistent with my directions set forth in this declaration. If \_\_\_\_\_ is unwilling or unable to act, I nominate \_\_\_\_\_ as my alternate designee.

\_\_\_\_\_ Funeral. I request the following arrangements for my funeral:

\_\_\_\_\_ Memorial Service. I request the following arrangements for my memorial service:

3. Special instructions. In addition to the instructions above, I request (on the following lines you may make special requests regarding ceremonies or lack of ceremonies):

I may revoke or amend this declaration in writing at any time. I agree that a third party who receives a copy of this declaration may act according to it. Revocation of this declaration is not effective as to a third party until the third party learns of my revocation. My estate shall indemnify any third party for costs incurred as a result of claims that arise against the third party because of good-faith reliance on this declaration.

I execute this declaration as my free and voluntary act, on (date) \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Declarant)

THE FOLLOWING SECTION REGARDING ORGAN AND TISSUE DONATION IS OPTIONAL.

To make a donation, initial the option you select and sign below.

In the hope that I might help others, I hereby make an anatomical gift, to be effective upon my death, of:

A. \_\_\_\_\_ Any needed organs/tissues

B. \_\_\_\_\_ The following organs/tissues:

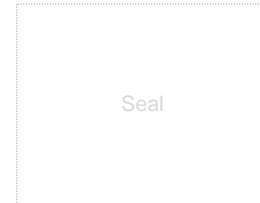
Donor signature: \_\_\_\_\_

Notarization (optional):

*This portion to be completed by Notary Public*

Acknowledged before me by \_\_\_\_\_, a Notary Public in and for the  
STATE OF COLORADO, \_\_\_\_\_ County.

My commission expires: \_\_\_\_\_



(2) Requirements. The form set forth in subsection (1) of this section is not exclusive, and a person may use another form of declaration if the wording of the form complies substantially with subsection (1) of this section, the form is properly completed, and the form is in writing, dated, and signed by the declarant. A declaration may be witnessed or notarized by at least one person who attests that he or she was present when the document was signed by the declarant.

(3) A declaration may be revoked by the declarant in writing or by burning, tearing, canceling, obliterating, or destroying the declaration with the intent to revoke such declaration.

(4) (a) Unless otherwise expressly provided in a declaration, a subsequent divorce, dissolution of marriage, annulment of marriage, or legal separation between the declarant and spouse automatically revokes a delegation to the declarant's spouse to direct the disposition of the declarant's last remains or ceremonies after the declarant's death. This paragraph (a) shall not be construed to revoke the remaining provisions of the declaration.

(b) Unless otherwise specified in the declaration, if a declarant revokes a delegation to a person to direct the disposition of the declarant's last remains or ceremonies after the declarant's death, or if such person is unable or unwilling to serve, the nomination of such person shall be ineffective as to such person. If an alternate designee is not nominated by the declarant, section 15-19-106 shall govern. This paragraph (b) shall not be construed to revoke the remaining provisions of the declaration.

HISTORY: Source: L. 2003: Entire article added, p. 1352, § 1, effective August 6.L. 2006: Entire section amended, p. 902, § 6, effective August 7.