

By: Zaffirini

S.B. No. 1803

A BILL TO BE ENTITLED

AN ACT

relating to the Glenda Dawson Donate Life Texas Registry.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 49.002(m), Health and Safety Code, is amended to read as follows:

(m) In consultation with the Texas Organ, Tissue, and Eye Donor Council, the department shall ~~may~~ implement a training program for all appropriate Department of Public Safety and Texas Department of Transportation employees on the benefits of organ, tissue, and eye donation and the procedures for individuals to be added to the statewide Internet-based registry of organ, tissue, and eye donors. The department, with expert council input and support, shall implement the training program before the date that the statewide Internet-based registry is operational and shall conduct the training on an ongoing basis for new employees.

SECTION 2. Section 692.003(d), Health and Safety Code, is amended to read as follows:

(d) A gift made by a document other than a will is effective on the death of the donor. The document may be a card designed to be carried by the donor. To be effective, the document must be signed by the donor in the presence of two witnesses except as otherwise provided by Subchapter Q, Chapter 521, Transportation Code, or other law. If the donor cannot sign the document, a person may sign the document for the donor at the donor's direction and in the

1 presence of the donor and two witnesses. The witnesses to the
2 signing of a document under this subsection must sign the document
3 in the presence of the donor. Delivery of the document during the
4 donor's lifetime is not necessary to make the gift valid.

5 SECTION 3. Section 521.401(c), Transportation Code, is
6 amended to read as follows:

7 (c) Donor cards shall be provided to the department and the
8 Texas Department of Transportation by qualified organ or tissue
9 procurement organizations or eye banks, as those terms are defined
10 in Section 692.002, Health and Safety Code, or by the Donor
11 Education, Awareness, and Registry Program of Texas established
12 under Chapter 49, Health and Safety Code. The department and the
13 Texas Department of Transportation shall:

14 (1) provide to each applicant for the issuance of an
15 original, renewal, corrected, or duplicate driver's license or
16 personal identification certificate or motor vehicle registration
17 who applies in person, by mail, over the Internet, or by other
18 electronic means:

19 (A) the opportunity to indicate on the person's
20 driver's license or personal identification certificate that the
21 person is willing to make an anatomical gift, in the event of death,
22 in accordance with Section 692.003, Health and Safety Code; and

23 (B) an opportunity for the person to consent in
24 writing to the department's provision of the person's name, date of
25 birth, driver's license number, most recent address, and other
26 information needed for identification purposes at the time of
27 donation to the organization selected by the commissioner of state

1 health services under Chapter 49, Health and Safety Code, for
2 inclusion in the statewide Internet-based registry of organ,
3 tissue, and eye donors and for release to qualified organ, tissue,
4 and eye bank organizations by specifically asking each applicant
5 the question, "Would you like to register as an organ donor?"; and

6 (2) provide a means to distribute donor cards to
7 interested individuals in each office authorized to issue driver's
8 licenses or personal identification certificates.

9 SECTION 4. This Act takes effect September 1, 2009.