

By: Zaffirini

S.B. No. 1818

A BILL TO BE ENTITLED

1 AN ACT
2 relating to consent for inclusion in the statewide Internet-based
3 registry of organ, tissue, and eye donors.

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

5 SECTION 1. Section 521.401, Transportation Code, is amended
6 by amending Subsection (c) and adding Subsection (c-1) to read as
7 follows:

8 (c) Donor registry information shall be provided to the
9 department and the Texas Department of Transportation by organ
10 procurement organizations, tissue banks, or eye banks, as those
11 terms are defined in Section 692A.002, Health and Safety Code, or by
12 the Glenda Dawson Donate Life-Texas Registry established under
13 Chapter 692A, Health and Safety Code. The department, with expert
14 input and support from the Texas Organ, Tissue, and Eye Donor
15 Council, shall:

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

20 (A) the opportunity to indicate on the person's
21 driver's license or personal identification certificate that the
22 person is willing to make an anatomical gift, in the event of death,
23 in accordance with Section 692A.005, Health and Safety Code; and

24 (B) an opportunity for the person to consent [~~in~~

1 ~~writing] to [the department's provision of the person's name, date~~
2 ~~of birth, driver's license number, most recent address, and other~~
3 ~~information needed for identification purposes at the time of~~
4 ~~donation to the organization selected by the commissioner of state~~
5 ~~health services under Section 692A.020, Health and Safety Code,~~
6 ~~for] inclusion in the statewide Internet-based registry of organ,~~
7 ~~tissue, and eye donors and [for] release to procurement~~
8 ~~organizations in the manner provided by Subsection (c-1) [by~~
9 ~~specifically asking each applicant only the question, "Would you~~
10 ~~like to register as an organ donor?"] ; and~~

11 (2) provide a means to distribute donor registry
12 information to interested individuals in each office authorized to
13 issue driver's licenses or personal identification certificates.

14 (c-1) The department shall:

15 (1) specifically ask each applicant only the question,
16 "Would you like to register as an organ donor?"; and

17 (2) if the applicant responds affirmatively to the
18 question asked under Subdivision (1), provide the person's name,
19 date of birth, driver's license number, most recent address, and
20 other information needed for identification purposes at the time of
21 donation to the organization selected by the commissioner of state
22 health services under Section 692A.020, Health and Safety Code, for
23 inclusion in the registry.

24 SECTION 2. Not later than November 1, 2011, the Department
25 of Public Safety of the State of Texas shall implement Section
26 521.401, Transportation Code, as amended by this Act.

27 SECTION 3. This Act takes effect September 1, 2011.