

AN ACT

relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

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

SECTION 1. Subsections (a), (c), (d), (e), (f), (g), (i), (k), (m), (n), (o), and (p), Section 692A.020, Health and Safety Code, are amended to read as follows:

(a) A ~~[The department shall contract with a]~~ nonprofit organization designated by the Department of Public Safety shall ~~[to]~~ maintain and administer a statewide donor registry, to be known as the Glenda Dawson Donate Life-Texas Registry.

(c) The ~~[department shall require the]~~ nonprofit organization shall ~~[with which the department has contracted to administer the statewide donor registry to]~~ establish and maintain a statewide Internet-based registry of organ, tissue, and eye donors.

(d) The Department of Public Safety at least monthly shall electronically transfer to the nonprofit organization administering the registry ~~[under contract with the department]~~ the name, date of birth, driver's license number, most recent address, and any other relevant information in the possession of the Department of Public Safety for any person who indicates on the person's driver's license application under Section 521.401, Transportation Code, that the person would like to make an

1 anatomical gift.

2 (e) The [~~contract between the department and the~~] nonprofit  
3 organization administering the registry shall [~~must require the~~  
4 ~~organization to~~]:

5 (1) make information obtained from the Department of  
6 Public Safety under Subsection (d) available to procurement  
7 organizations;

8 (2) allow potential donors to submit information in  
9 writing directly to the organization for inclusion in the  
10 Internet-based registry;

11 (3) maintain the Internet-based registry in a manner  
12 that allows procurement organizations to immediately access organ,  
13 tissue, and eye donation information 24 hours a day, seven days a  
14 week through electronic and telephonic methods; and

15 (4) protect the confidentiality and privacy of the  
16 individuals providing information to the Internet-based registry,  
17 regardless of the manner in which the information is provided.

18 (f) Except as otherwise provided by Subsection (e)(3) or  
19 this subsection, the Department of Public Safety, the nonprofit  
20 organization administering [~~under contract to administer~~] the  
21 registry, or a procurement organization may not sell, rent, or  
22 otherwise share any information provided to the Internet-based  
23 registry. A procurement organization may share any information  
24 provided to the registry with an organ procurement organization or  
25 a health care provider or facility providing medical care to a  
26 potential donor as necessary to properly identify an individual at  
27 the time of donation.

1 (g) The Department of Public Safety, the nonprofit  
2 organization administering [~~under contract with the department to~~  
3 ~~administer~~] the registry, or the procurement organizations may not  
4 use any demographic or specific data provided to the Internet-based  
5 registry for any fund-raising activities. Data may only be  
6 transmitted from the selected organization to procurement  
7 organizations through electronic and telephonic methods using  
8 secure, encrypted technology to preserve the integrity of the data  
9 and the privacy of the individuals providing information.

10 (i) The Glenda Dawson Donate Life-Texas Registry fund is  
11 created as a trust fund outside the state treasury to be held by the  
12 comptroller and administered by the Department of Public Safety as  
13 trustee on behalf of the statewide donor registry maintained for  
14 the benefit of the citizens of this state. The fund is composed of  
15 money deposited to the credit of the fund [~~The Department of Public~~  
16 ~~Safety shall remit to the comptroller the money collected~~] under  
17 Sections 502.405(b), 521.008, [~~521.421(g)~~] and 521.422(c),  
18 Transportation Code, as provided by those subsections. Money in  
19 the fund [~~A county assessor-collector shall remit to the~~  
20 ~~comptroller any money collected under Section 502.1745,~~  
21 ~~Transportation Code, as provided by that section. Money remitted~~  
22 ~~to the comptroller in accordance with those sections that is~~  
23 ~~appropriated to the department~~] shall be disbursed at least  
24 monthly, without appropriation, to the nonprofit organization  
25 administering the registry [~~under this section under the terms of~~  
26 ~~the contract between the department and the organization~~] to pay  
27 the costs of:

1           (1) maintaining, operating, and updating the  
2 Internet-based registry and establishing procedures for an  
3 individual to be added to the registry;

4           (2) designing and distributing educational materials  
5 for prospective donors as required under this section; and

6           (3) providing education under this chapter.

7           (k) To the extent funds are available and as part of the  
8 donor registry program, ~~[the department may allocate funds to]~~ the  
9 nonprofit organization administering the registry may ~~[pursuant to~~  
10 ~~the contract to]~~ educate residents about anatomical gifts. The  
11 education provided under this section shall include information  
12 about:

13           (1) the laws governing anatomical gifts, including  
14 Subchapter Q, Chapter 521, Transportation Code, Chapter 693, and  
15 this chapter;

16           (2) the procedures for becoming an organ, eye, or  
17 tissue donor or donee; and

18           (3) the benefits of organ, eye, or tissue donation.

19           (m) The ~~[department may require the]~~ nonprofit organization  
20 administering the registry may ~~[to]~~:

21           (1) implement a training program for all appropriate  
22 Department of Public Safety and Texas Department of Transportation  
23 employees on the benefits of organ, tissue, and eye donation and the  
24 procedures for individuals to be added to the Internet-based  
25 registry; and

26           (2) conduct the training described by Subdivision (1)  
27 on an ongoing basis for new employees.

1           (n) The [~~department may require the~~] nonprofit organization  
2 administering the registry may [~~to~~] develop a program to educate  
3 health care providers and attorneys in this state about anatomical  
4 gifts.

5           (o) The [~~department shall require the~~] nonprofit  
6 organization administering the registry shall [~~to~~] encourage:

7                 (1) attorneys to provide organ donation information to  
8 clients seeking advice for end-of-life decisions;

9                 (2) medical and nursing schools in this state to  
10 include mandatory organ donation education in the schools'  
11 curricula; and

12                 (3) medical schools in this state to require a  
13 physician in a neurology or neurosurgery residency program to  
14 complete an advanced course in organ donation education.

15           (p) The nonprofit organization administering the registry  
16 may not [~~+~~

17                 [~~(1) charge any fee for costs related to the operation~~  
18 ~~and maintenance of the registry, except as agreed in the contract~~  
19 ~~with the department, or~~

20                 [~~(2)~~] use the registry to solicit voluntary donations  
21 of money from a registrant.

22           SECTION 2. Subsection (b), Section 502.405, Transportation  
23 Code, as redesignated from Subsection (b), Section 502.1745,  
24 Transportation Code, by Chapter 1296 (H.B. 2357), Acts of the 82nd  
25 Legislature, Regular Session, 2011, is reenacted to incorporate  
26 amendments to Subsection (b), Section 502.1745, Transportation  
27 Code, made by Chapters 554 (H.B. 2904) and 1296 (H.B. 2357), Acts of

1 the 82nd Legislature, Regular Session, 2011, and amended to read as  
2 follows:

3       (b) When a person applies for the registration or renewal of  
4 registration of a motor vehicle, the person may elect to contribute  
5 [A person may elect to pay an additional fee of] \$1 to the nonprofit  
6 organization administering [for the registration or renewal of  
7 registration of a motor vehicle to pay the costs of] the Glenda  
8 Dawson Donate Life-Texas Registry established under Chapter 692A,  
9 Health and Safety Code. The department shall remit any  
10 contribution paid under this subsection to the comptroller for  
11 deposit to the credit of the Glenda Dawson Donate Life-Texas  
12 Registry fund created under Section 692A.020, Health and Safety  
13 Code. Money received under this subsection by the organization may  
14 be used only to manage the organization's registry, provide donor  
15 education, and promote donor awareness. The organization shall  
16 submit an annual report to the legislature and the comptroller that  
17 includes the total dollar amount of money received by the  
18 organization under this subsection. If a person makes a  
19 contribution under this section and does not pay the full amount of  
20 the registration fee, the department may credit all or a portion of  
21 the contribution to the person's registration fee. The department  
22 shall:

23               (1) include space on each motor vehicle registration  
24 renewal notice, on the page that states the total fee for  
25 registration renewal, that allows a person renewing a registration  
26 to voluntarily contribute \$1 to the organization;

27               (2) provide an opportunity for a person to contribute

1 \$1 to the organization during the registration renewal process on  
2 the department's Internet website; and

3 (3) provide an opportunity to contribute \$1 to the  
4 organization in any registration renewal system that succeeds the  
5 registration renewal system in place on September 1, 2013.

6 ~~[Notwithstanding any other provision of this chapter, all fees~~  
7 ~~collected under this subsection shall be remitted to the~~  
8 ~~comptroller, who shall maintain the identity of the source of the~~  
9 ~~fees.]~~

10 SECTION 3. Subchapter A, Chapter 521, Transportation Code,  
11 is amended by adding Section 521.008 to read as follows:

12 Sec. 521.008. VOLUNTARY CONTRIBUTION TO DONOR REGISTRY.

13 (a) When a person applies for an original or renewal driver's  
14 license under this chapter, the person may contribute \$1 to the  
15 nonprofit organization administering the Glenda Dawson Donate  
16 Life-Texas Registry under Chapter 692A, Health and Safety Code.

17 (b) The department shall:

18 (1) include space on each application for a new or  
19 renewal driver's license that allows a person applying for a new or  
20 renewal driver's license to indicate that the person is voluntarily  
21 contributing \$1 to the organization; and

22 (2) provide an opportunity for the person to  
23 contribute \$1 to the organization during the application process  
24 for a new or renewal driver's license on the department's Internet  
25 website.

26 (c) The department shall remit any contribution made under  
27 this section to the comptroller for deposit to the credit of the

1 Glenda Dawson Donate Life-Texas Registry fund created under Section  
2 692A.020, Health and Safety Code. Before sending the money to the  
3 comptroller, the department may deduct money equal to the amount of  
4 reasonable expenses for administering this section, not to exceed  
5 five percent of the money collected under this section.

6 (d) The organization shall submit an annual report to the  
7 director of the department that includes the total dollar amount of  
8 contributions received by the organization under this section.

9 SECTION 4. Subsection (c), Section 521.422, Transportation  
10 Code, is amended to read as follows:

11 (c) When a person applies [~~The department shall collect an~~  
12 ~~additional fee of \$1~~] for the issuance or renewal of a personal  
13 identification card, including a duplicate personal identification  
14 card or a personal identification card issued or renewed over the  
15 Internet or by other electronic means, the person may elect to  
16 contribute \$1 to the nonprofit organization administering [~~to pay~~  
17 ~~the costs of~~] the Glenda Dawson Donate Life-Texas Registry  
18 established under Chapter 692A, Health and Safety Code[, ~~if the~~  
19 ~~person applying for or renewing a personal identification card opts~~  
20 ~~to pay the additional fee. The department shall remit fees~~  
21 ~~collected under this subsection to the comptroller, who shall~~  
22 ~~maintain the identity of the source of the fees. Subject to~~  
23 ~~appropriation, the department may retain three percent of the money~~  
24 ~~collected under this subsection to cover the costs in administering~~  
25 ~~this subsection~~]. The department shall remit any contribution paid  
26 under this subsection to the comptroller for deposit to the credit  
27 of the Glenda Dawson Donate Life-Texas Registry fund created under



1 Section 692A.020, Health and Safety Code. Before sending the money  
2 to the comptroller, the department may deduct money equal to the  
3 amount of reasonable expenses for administering this subsection,  
4 not to exceed five percent of the money collected under this  
5 subsection. The organization shall submit an annual report to the  
6 director of the department that includes the total dollar amount of  
7 money received by the organization under this subsection.

8 SECTION 5. Subsection (b), Section 521.427, Transportation  
9 Code, is amended to read as follows:

10 (b) Subsection (a) does not apply to:

11 (1) the portion of a fee collected under Section  
12 521.421(b) or Section 521.421(f), as added by Chapter 1156, Acts of  
13 the 75th Legislature, Regular Session, 1997, that is required by  
14 Section 662.011 to be deposited to the credit of the motorcycle  
15 education fund account;

16 (2) a fee collected under Section 521.421(j);

17 [~~(3) a fee collected under Section 521.421(g),~~] or

18 (3) [~~(4)~~] a fee collected under Section 521.422(b) or  
19 (c).

20 SECTION 6. (a) Subsections (j) and (l), Section 692A.020,  
21 Health and Safety Code, are repealed.

22 (b) Effective September 1, 2014, Subsection (g), Section  
23 521.421, Transportation Code, is repealed.

24 SECTION 7. Section 521.008, Transportation Code, as added  
25 by this Act, applies only to a driver's license issued or renewed on  
26 or after January 1, 2014.

27 SECTION 8. Subdivision (1), Subsection (b), Section

1 502.405, as added by this Act, applies only to the form of a motor  
2 vehicle registration renewal notice that is revised on or after the  
3 effective date of this Act.

4 SECTION 9. To the extent of any conflict, this Act prevails  
5 over another Act of the 83rd Legislature, Regular Session, 2013,  
6 relating to nonsubstantive additions to and corrections in enacted  
7 codes.

8 SECTION 10. This Act takes effect immediately if it  
9 receives a vote of two-thirds of all the members elected to each  
10 house, as provided by Section 39, Article III, Texas Constitution.  
11 If this Act does not receive the vote necessary for immediate  
12 effect, this Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1815 passed the Senate on April 17, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 7, 2013, by the following vote: Yeas 29, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1815 passed the House, with amendments, on April 30, 2013, by the following vote: Yeas 143, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor