STATE OF NEW YORK

7331--A

Cal. No. 1391

2025-2026 Regular Sessions

IN SENATE

April 10, 2025

Introduced by Sens. RIVERA, MARTINS, C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the public health law, in relation to allowing individuals to register in the "donate life registry" through mandatory electronic personal income tax filings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (a) of subdivision 5 of section 4310 of the public health law, as amended by section 2 of chapter 662 of the laws of 2024, is amended to read as follows:

(a) Such organ, eye and tissue registration of consent to make an anatomical gift can be made through: (i) indication made on the application or renewal form of a driver's license, (ii) indication made on a non-driver identification card application or renewal form, (iii) indication made on a voter registration form pursuant to subdivision five of section 5-210 of the election law, (iv) indication made on the application for, or manual renewal application by an account holder of, health care coverage offered through the state health benefit exchange, (v) enrollment through the donate life registry website, (vi) paper enrollment submitted to the donate life registry, (vii) indication made on the application or renewal form of a hunting, fishing or trapping license issued pursuant to title seven of article eleven of the environmental conservation law, (viii) indication made on transactions administered by the office of temporary and disability assistance through the mybenefits.ny.gov website, or any such successor website; (ix) indication made on applications, renewals or related transactions for college financial aid, grants, or scholarships offered or administered through any website maintained by the higher education services corporation; (x) indication

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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made on transactions conducted through an individual's electronic health records; [~~or~~] (xi) **indication made on any personal income tax document that is subject to mandatory electronic filing in accordance with the provisions of section twenty-nine of the tax law; or (xii)** through any other method identified by the commissioner. The department shall establish a means by which to register the consent given by individuals who are sixteen or seventeen years of age in the donate life registry, and shall make registration available by any of the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) [~~and~~], (xi) **and (xii)** of this paragraph.

§ 2. Paragraph (a) of subdivision 5 of section 4310 of the public health law, as amended by section 3 of chapter 662 of the laws of 2024, is amended to read as follows:

(a) Such organ, eye and tissue registration of consent to make an anatomical gift can be made through: (i) indication made on the application or renewal form of a driver's license, (ii) indication made on a non-driver identification card application or renewal form, (iii) indication made on a voter registration form pursuant to subdivision five of section 5-210 of the election law, (iv) indication made on the application for, or manual renewal application by an account holder of, health care coverage offered through the NY State of Health, the official Health Plan Marketplace, (v) enrollment through the donate life registry website, (vi) paper enrollment submitted to the donate life registry, (vii) indication made on the application or renewal form of a hunting, fishing or trapping license issued pursuant to title seven of article eleven of the environmental conservation law, (viii) indication made on transactions administered by the office of temporary and disability assistance through the mybenefits.ny.gov website, or any such successor website; (ix) indication made on applications, renewals or related transactions for college financial aid, grants, or scholarships offered or administered through any website maintained by the higher education services corporation; (x) indication made by an insured and/or applicant for insurance during enrollments, renewals, and the initial process for an insured in setting up an online member service portal with their insurer for accident and health insurance policies and contracts issued pursuant to article forty-four of this chapter, article forty-two of the insurance law, or article forty-three of the insurance law, excepting renewals made through the NY State of Health, the official Health Plan Marketplace, other than those specifically referenced in subparagraph (iv) of this paragraph and paragraph (v) of subdivision one of section two hundred six of this chapter; and provided, however, that nothing in this section shall apply to the medical assistance program under title eleven of article five of the social services law; (xi) indication made on transactions conducted through an individual's electronic health record; [~~or~~] (xii) **indication made on any personal income tax document that is subject to mandatory electronic filing in accordance with the provisions of section twenty-nine of the tax law; or (xiii)** through any other method identified by the commissioner. The department shall establish a means by which to register the consent given by individuals who are sixteen or seventeen years of age in the donate life registry, and shall make registration available by any of the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi) [~~and~~], (xii) **and (xiii)** of this paragraph.

§ 3. Subparagraph (i) of paragraph (b) of subdivision 5 of section 4310 of the public health law, as amended by section 4 of chapter 662 of the laws of 2024, is amended to read as follows:

(i) Where required by law for transactions described in subparagraphs (i), (ii), (iv), (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of paragraph (a) of this subdivision, the commissioner shall ensure, in consultation with the head of any agency required to implement such transaction, that space is provided on any required form so that the applicant shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 4. Subparagraph (i) of paragraph (b) of subdivision 5 of section 4310 of the public health law, as amended by section 5 of chapter 662 of the laws of 2024, is amended to read as follows:

(i) Where required by law for transactions described in subparagraphs (i), (ii), (iv), (vii), (viii), (ix), (x), (xi) [~~and~~], (xii) and (xiii) of paragraph (a) of this subdivision, the commissioner shall ensure, in consultation with the head of any agency required to implement such transaction, that space is provided on any required form so that the applicant shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 5. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that if sections 3 and 5 of chapter 662 of the laws of 2024 shall not have taken effect on or before such date then sections two and four of this act shall take effect on the same date and in the same manner as such sections of such chapter of the laws of 2024, takes effect. Effective immediately, the commissioner of health is authorized to take any actions necessary to implement the provisions of this act on or before its effective date.