

9101--A

I N A S S E M B L Y

January 26, 2016

Introduced by M. of A. SIMOTAS, DINOWITZ, MAYER, LUPINACCI, McDONALD --
read once and referred to the Committee on Health -- committee
discharged, bill amended, ordered reprinted as amended and recommitted
to said committee

AN ACT to amend the education law, the tax law, the vehicle and traffic
law, the judiciary law and the executive law, in relation to requiring
certain state forms and applications to include space for registering
in the "donate life registry" for organ, eye and tissue donations

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 355 of the education law is amended by adding a new
2 subdivision 2-a to read as follows:
3 2-A. THE STATE UNIVERSITY TRUSTEES SHALL REQUIRE THAT APPLICATIONS FOR
4 ADMISSION TO STATE OPERATED INSTITUTIONS AND COMMUNITY COLLEGES INCLUDE
5 SPACE FOR THE APPLICANT TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR
6 ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION
7 FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE
8 AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR
9 REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL
10 NOT IMPAIR SUCH CONSENT OR REGISTRATION.
11 S 2. Section 3006 of the education law is amended by adding a new
12 subdivision 4 to read as follows:
13 4. ORGAN, EYE AND TISSUE DONATION. THE COMMISSIONER SHALL PROVIDE ON
14 EACH APPLICATION FOR A CERTIFICATE, LICENSE OR REGISTRATION ISSUED
15 PURSUANT TO THIS ARTICLE, AND EACH RENEWAL THEREOF, SPACE FOR THE APPLI-
16 CANT TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE
17 DONATIONS ESTABLISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE
18 PUBLIC HEALTH LAW. PROVIDED, THAT WHERE AN APPLICANT HAS PREVIOUSLY
19 CONSENTED TO MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE
20 REGISTRY", FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR
21 REGISTRATION.
22 S 3. Section 6206 of the education law is amended by adding a new
23 subdivision 7-a to read as follows:

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

LBD11797-04-6

1 7-A. THE BOARD OF TRUSTEES SHALL PROVIDE SPACE ON APPLICATIONS FOR
2 ADMISSION TO THE CITY UNIVERSITY, INCLUDING EVERY SENIOR COLLEGE AND
3 COMMUNITY COLLEGE THEREOF, FOR THE APPLICANT TO REGISTER IN THE "DONATE
4 LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT
5 TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED,
6 THAT WHERE AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL
7 GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX
8 SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

9 S 4. The opening paragraph of section 6501 of the education law is
10 designated subdivision 1 and a new subdivision 2 is added to read as
11 follows:

12 2. THE BOARD OF REGENTS SHALL PROVIDE, ON EACH APPLICATION TO PRACTICE
13 A PROFESSION PURSUANT TO THIS TITLE AND EACH APPLICATION FOR RENEWAL OF
14 A LICENSE, REGISTRATION OR CERTIFICATION TO PRACTICE SUCH A PROFESSION,
15 SPACE FOR THE APPLICANT TO REGISTER IN THE "DONATE LIFE REGISTRY" OF
16 ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION
17 FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE
18 AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR
19 REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL
20 NOT IMPAIR SUCH CONSENT OR REGISTRATION.

21 S 5. Section 651 of the tax law is amended by adding a new subsection
22 (a-1) to read as follows:

23 (A-1) ORGAN, EYE AND TISSUE DONATION. THE COMMISSIONER SHALL PROVIDE
24 ON EACH RETURN SPACE FOR THE TAXPAYER OR TAXPAYERS TO REGISTER IN THE
25 "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED
26 PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW.
27 PROVIDED, THAT WHERE A TAXPAYER HAS PREVIOUSLY CONSENTED TO MAKE AN
28 ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO
29 CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

30 S 6. Paragraph b of subdivision 1 of section 401 of the vehicle and
31 traffic law is amended by adding a new closing paragraph to read as
32 follows:

33 THE COMMISSIONER SHALL PROVIDE ON EACH APPLICATION FOR REGISTRATION
34 AND RENEWAL THEREOF SPACE FOR THE MOTOR VEHICLE OWNER TO REGISTER IN THE
35 "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED
36 PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW.
37 PROVIDED, THAT WHERE A MOTOR VEHICLE OWNER HAS PREVIOUSLY CONSENTED TO
38 MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY",
39 FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

40 S 7. Section 464 of the judiciary law is amended by adding a new clos-
41 ing paragraph to read as follows:

42 THE CHIEF ADMINISTRATOR OF THE COURTS SHALL PROVIDE ON EACH APPLICA-
43 TION FOR ADMISSION TO PRACTICE, SPACE FOR THE APPLICANT TO REGISTER IN
44 THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTAB-
45 LISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH
46 LAW. PROVIDED, THAT WHERE AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE
47 AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING
48 TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

49 S 8. Section 468-a of the judiciary law is amended by adding a new
50 subdivision 4-a to read as follows:

51 4-A. THE CHIEF ADMINISTRATOR SHALL PROVIDE ON EACH BIENNIAL REGISTRA-
52 TION FORM SPACE FOR THE ATTORNEY TO REGISTER IN THE "DONATE LIFE REGIS-
53 TRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION
54 FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE
55 AN ATTORNEY HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR

1 REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL
2 NOT IMPAIR SUCH CONSENT OR REGISTRATION.

3 S 9. The executive law is amended by adding a new section 91-a to read
4 as follows:

5 S 91-A. ORGAN, EYE AND TISSUE DONATION. THE SECRETARY SHALL PROVIDE ON
6 EACH APPLICATION TO CONDUCT A PROFESSION OR OCCUPATION WHICH IS LICENSED
7 OR REGISTERED BY THE DEPARTMENT, AND EACH RENEWAL THEREOF, SPACE FOR THE
8 APPLICANT TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND
9 TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN
10 OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE AN APPLICANT HAS PREVI-
11 OUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE
12 LIFE REGISTRY", FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR
13 REGISTRATION.

14 S 10. This act shall take effect on the first of January next succeed-
15 ing the date on which it shall have become a law; provided, however,
16 that effective immediately, the addition, amendment and/or repeal of any
17 rule or regulation necessary for the implementation of this act on its
18 effective date are authorized and directed to be made and completed on
19 or before such effective date.