S T A T E O F N E W Y O R K

6022--A

Cal. No. 1406

2015-2016 Regular Sessions

I N S E N A T E

July 22, 2015

Introduced by Sens. PERALTA, BRESLIN, COMRIE, ESPAILLAT, HAMILTON, HASSELL-THOMPSON, PANEPINTO, PARKER, PERKINS, PERSAUD, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Investigations and Government Operations -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 355 of the education law is amended by adding a new subdivision 2-a to read as follows:

2-A. THE STATE UNIVERSITY TRUSTEES SHALL REQUIRE THAT APPLICATIONS FOR ADMISSION TO STATE OPERATED INSTITUTIONS AND COMMUNITY COLLEGES INCLUDE SPACE FOR THE APPLICANT TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

S 2. Section 3006 of the education law is amended by adding a new subdivision 4 to read as follows:

4. ORGAN, EYE AND TISSUE DONATION. THE COMMISSIONER SHALL PROVIDE ON EACH APPLICATION FOR A CERTIFICATE, LICENSE OR REGISTRATION ISSUED PURSUANT TO THIS ARTICLE, AND EACH RENEWAL THEREOF, SPACE FOR THE APPLI-

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

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CANT TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE AN APPLICANT HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

S 3. Section 6206 of the education law is amended by adding a new subdivision 7-a to read as follows:

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

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

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

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

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

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

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

S 7. Section 464 of the judiciary law is amended by adding a new closing paragraph to read as follows:

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

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

4-A. THE CHIEF ADMINISTRATOR SHALL PROVIDE ON EACH BIENNIAL REGISTRATION FORM SPACE FOR THE ATTORNEY TO REGISTER IN THE "DONATE LIFE REGISTRY" FOR ORGAN, EYE AND TISSUE DONATIONS ESTABLISHED PURSUANT TO SECTION FORTY-THREE HUNDRED TEN OF THE PUBLIC HEALTH LAW. PROVIDED, THAT WHERE AN ATTORNEY HAS PREVIOUSLY CONSENTED TO MAKE AN ANATOMICAL GIFT OR REGISTERED IN THE "DONATE LIFE REGISTRY", FAILING TO CHECK A BOX SHALL NOT IMPAIR SUCH CONSENT OR REGISTRATION.

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

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

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