

STATE OF NEW YORK

8736

2017-2018 Regular Sessions

IN ASSEMBLY

October 20, 2017

Introduced by M. of A. SKOUFIS -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the public health law and the environmental conservation law, in relation to allowing donate life registration when applying for or renewing a hunting, fishing or trapping license

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

1 Section 1. Paragraph (a) of subdivision 5 of section 4310 of the
2 public health law, as separately amended by chapters 40 and 248 of the
3 laws of 2016, is amended to read as follows:

4 (a) Such organ, eye and tissue registration of consent to make an
5 anatomical gift can be made through: (i) indication made on the applica-
6 tion or renewal form of a driver's license, (ii) indication made on a
7 non-driver identification card application or renewal form, (iii) indi-
8 cation made on a voter registration form pursuant to subdivision five of
9 section 5-210 of the election law, (iv) indication made on the applica-
10 tion for health care coverage offered through the state health benefit
11 exchange, (v) enrollment through the donate life registry website, (vi)
12 paper enrollment submitted to the donate life registry, [~~ex~~] (vii) indi-
13 cation made on the application or renewal form of a hunting, fishing or
14 trapping license issued pursuant to title seven of article eleven of the
15 environmental conservation law, or (viii) through any other method iden-
16 tified by the commissioner. The department shall establish a means by
17 which to register the consent given by individuals who are sixteen or
18 seventeen years of age in the donate life registry, and shall make
19 registration available by any of the methods provided in subparagraphs
20 (i), (ii), (iii), (iv), (v) [~~and~~], (vi) and (vii) of this paragraph.

21 § 2. Paragraph (a) of subdivision 5 of section 4310 of the public
22 health law, as amended by section 27 of part A of chapter 60 of the laws
23 of 2014, is amended to read as follows:

24 (a) Such organ, eye and tissue registration of consent to make an
25 anatomical gift can be made through: (i) indication made on the applica-
26 tion or renewal form of a driver's license, (ii) indication made on a
27 non-driver identification card application or renewal form, (iii) indi-

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

LBD13306-02-7

1 cation made on a voter registration form pursuant to subdivision five of
2 section 5-210 of the election law, (iv) enrollment through the donate
3 life registry website, (v) paper enrollment submitted to the donate life
4 registry, ~~[or]~~ (vi) indication made on the application or renewal form
5 of a hunting, fishing or trapping license issued pursuant to title seven
6 of article eleven of the environmental conservation law, or (vii)
7 through any other method identified by the commissioner.

8 § 3. Subdivision 1 of section 206 of the public health law is amended
9 by adding a new paragraph (w) to read as follows:

10 (w) require, in consultation and cooperation with the commissioner of
11 the department of environmental conservation, that every individual
12 applying for or renewing a license for hunting, fishing, or trapping
13 issued pursuant to title seven of article eleven of the environmental
14 conservation law, be provided space so that such applicant may register
15 in the donate life registry for organ, eye and tissue donations pursuant
16 to section forty-three hundred ten of this chapter with the following
17 stated in clear conspicuous type:

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

21 Except where the application is made in person or electronically,
22 failure to check a box shall not impair the validity of an application
23 or renewal, and failure to check "yes" or checking "skip this question"
24 shall not be construed to imply a wish not to donate. In the case of an
25 applicant under sixteen years of age, checking "yes" shall not consti-
26 tute consent to make an anatomical gift or registration in the donate
27 life registry. Where an applicant has previously consented to make an
28 anatomical gift or is registered in the donate life registry, checking
29 "skip this question" or failing to check a box shall not impair that
30 consent or registration.

31 § 4. Section 11-0713 of the environmental conservation law is amended
32 by adding a new subdivision 7 to read as follows:

33 7. The commissioner shall provide, on each form for purchase or
34 renewal of a license pursuant to this title, space for the applicant to
35 register in the donate life registry for organ, eye and tissue donations
36 established pursuant to section forty-three hundred ten of the public
37 health law with the following stated on the application in clear and
38 conspicuous type:

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

42 Failure to check a box shall not be construed to imply a wish not to
43 donate. In the case of an applicant under sixteen years of age, checking
44 "yes" shall not constitute consent to make an anatomical gift or regis-
45 tration in the donate life registry. Where an applicant has previously
46 consented to make an anatomical gift or is registered in the donate life
47 registry, checking "skip this question" or failing to check a box shall
48 not impair that consent or registration.

49 § 5. This act shall take effect immediately, provided, however, that
50 the amendments to subdivision 5 of section 4310 of the public health law
51 made by section one of this act shall be subject to the expiration and
52 reversion of such subdivision pursuant to chapter 465 of the laws of
53 2012, as amended, when upon such date the provisions of section two of
54 this act shall take effect.