

# STATE OF NEW YORK

4471

2019-2020 Regular Sessions

## IN SENATE

March 12, 2019

Introduced by Sen. ANTONACCI -- read twice and ordered printed, and when printed to be committed to the Committee on Health

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

23 (w) require, in consultation and cooperation with the commissioner of  
24 the department of environmental conservation, that every individual

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

LBD10726-01-9

1 applying for or renewing a license for hunting, fishing, or trapping  
2 issued pursuant to title seven of article eleven of the environmental  
3 conservation law, be provided space so that such applicant may register  
4 in the donate life registry for organ, eye and tissue donations pursuant  
5 to section forty-three hundred ten of this chapter with the following  
6 stated in clear conspicuous type:

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

10 Except where the application is made in person or electronically,  
11 failure to check a box shall not impair the validity of an application  
12 or renewal, and failure to check "yes" or checking "skip this question"  
13 shall not be construed to imply a wish not to donate. In the case of an  
14 applicant under sixteen years of age, checking "yes" shall not consti-  
15 tute consent to make an anatomical gift or registration in the donate  
16 life registry. Where an applicant has previously consented to make an  
17 anatomical gift or is registered in the donate life registry, checking  
18 "skip this question" or failing to check a box shall not impair that  
19 consent or registration.

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

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

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

31 Failure to check a box shall not be construed to imply a wish not to  
32 donate. In the case of an applicant under sixteen years of age, checking  
33 "yes" shall not constitute consent to make an anatomical gift or regis-  
34 tration in the donate life registry. Where an applicant has previously  
35 consented to make an anatomical gift or is registered in the donate life  
36 registry, checking "skip this question" or failing to check a box shall  
37 not impair that consent or registration.

38 § 4. This act shall take effect immediately.