

STATE OF NEW YORK

7890

IN SENATE

January 18, 2022

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

AN ACT to amend the public health law, in relation to providing for donate life registration on electronic application forms administered by the office of temporary and disability assistance, the higher education services corporation, and on mandatory electronic tax filings; and to amend a chapter of the laws of 2021, amending the public health law relating to allowing donate life registration on electronic application forms administered by the office of temporary disability assistance, the higher education services corporation, and on mandatory electronic tax filings, as proposed in legislative bills numbers S. 5973 and A. 6392, in relation to the effectiveness thereof

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 a chapter of the laws of 2021, amending the public health law relating to allowing donate life registration on electronic application forms administered by the office of temporary disability assistance, the higher education services corporation, and on mandatory electronic tax filings, as proposed in legislative bills numbers S. 5973 and A. 6392, 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

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

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1 the office of temporary and disability assistance through the mybene-
2 fits.ny.gov website, or any such successor website; (ix) indication made
3 on applications, renewals or related transactions for college financial
4 aid, grants, or scholarships offered or administered through any website
5 maintained by the higher education services corporation; or (x) [~~indi-~~
6 ~~cation made on any tax document that is subject to mandatory electronic~~
7 ~~filing in accordance with the provisions of section twenty-nine of the~~
8 ~~tax law, or (xi)~~] through any other method identified by the commission-
9 er. The department shall establish a means by which to register the
10 consent given by individuals who are sixteen or seventeen years of age
11 in the donate life registry, and shall make registration available by
12 any of the methods provided in subparagraphs (i), (ii), (iii), (iv),
13 (v), (vi), (vii), (viii), (ix) and (x) of this paragraph.

14 § 2. Subparagraph (i) of paragraph (b) of subdivision 5 of section
15 4310 of the public health law, as amended by a chapter of the laws of
16 2021, amending the public health law relating to allowing donate life
17 registration on electronic application forms administered by the office
18 of temporary disability assistance, the higher education services corpo-
19 ration, and on mandatory electronic tax filings, as proposed in legisla-
20 tive bills numbers S. 5973 and A. 6392, is amended to read as follows:

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

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

32 § 3. Section 3 of a chapter of the laws of 2021, amending the public
33 health law relating to allowing donate life registration on electronic
34 application forms administered by the office of temporary disability
35 assistance, the higher education services corporation, and on mandatory
36 electronic tax filings, as proposed in legislative bills numbers S. 5973
37 and A. 6392, is amended to read as follows:

38 § 3. This act shall take effect [~~on the one hundred eightieth day~~] one
39 year after it shall have become a law[, ~~provided, however, that if chap-~~
40 ~~ter 149 of the laws of 2020 shall not have taken effect on or before~~
41 ~~such date then this act shall take effect on the same date and in the~~
42 ~~same manner as such chapter of the laws of 2020, takes effect~~]. Effec-
43 tive immediately, the addition, amendment and/or repeal of any rule or
44 regulation necessary for the implementation of this act on its effective
45 date are authorized to be made and completed on or before such effective
46 date.

47 § 4. This act shall take effect immediately; provided, however,
48 sections one and two of this act shall take effect on the same date and
49 in the same manner as a chapter of the laws of 2021, amending the public
50 health law relating to allowing donate life registration on electronic
51 application forms administered by the office of temporary disability
52 assistance, the higher education services corporation, and on mandatory
53 electronic tax filings, as proposed in legislative bills numbers S. 5973
54 and A. 6392, takes effect.