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.

LBD09389-03-2

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

§ 2. Subparagraph (i) of paragraph (b) 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:

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

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

§ 3. Section 3 of 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:

§ 3. This act shall take effect [~~on the one hundred eightieth day~~] **one year** after it shall have become a law[~~; provided, however, that if chapter 149 of the laws of 2020 shall not have taken effect on or before such date then this act shall take effect on the same date and in the same manner as such chapter of the laws of 2020, takes effect~~]. **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 to be made and completed on or before such effective date.**

§ 4. This act shall take effect immediately; provided, however, sections one and two of this act shall take effect on the same date and in the same manner as 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, takes effect.