

STATE OF NEW YORK

10299

IN ASSEMBLY

February 20, 2026

Introduced by M. of A. TAPIA, BUTTENSCHON, SCHIAVONI, SHIMSKY, SAYEGH, SIMONE, ROSENTHAL, LEVENBERG, DINOWITZ, HEVESI, LUPARDO, GRIFFIN, RAJKUMAR, BRABENEC, McDONOUGH, SMULLEN, SLATER, LEMONDES, DeSTEFANO, BROOK-KRASNY, PALMESANO, SEAWRIGHT, REYES, MAHER, KASSAY, LUNSFORD, SEMPOLINSKI, SANTABARBARA, WEPRIN, GIGLIO, GLICK, HYNDMAN, WALSH, K. BROWN -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to allowing individuals to register in the "donate life registry" through mandatory electronic personal income tax filings

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 amended by section 3 of chapter 128 of the laws of
3 2025, 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, or manual renewal application by an account holder of, health
11 care coverage offered through the NY State of Health, the official
12 Health Plan Marketplace, (v) enrollment through the donate life registry
13 website, (vi) paper enrollment submitted to the donate life registry,
14 (vii) indication made on the application or renewal form of a hunting,
15 fishing or trapping license issued pursuant to title seven of article
16 eleven of the environmental conservation law, (viii) indication made on
17 transactions administered by the office of temporary and disability
18 assistance through the mybenefits.ny.gov website, or any such successor
19 website; (ix) indication made on applications, renewals or related tran-
20 sactions for college financial aid, grants, or scholarships offered or
21 administered through any website maintained by the higher education
22 services corporation; (x) indication made by an insured and/or applicant
23 for insurance during enrollments, renewals, and the initial process for

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

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1 an insured in setting up an online member service portal with their
2 insurer for accident and health insurance policies and contracts issued
3 pursuant to article forty-four of this chapter, article forty-two of the
4 insurance law, or article forty-three of the insurance law, excepting
5 renewals made through the NY State of Health, the official Health Plan
6 Marketplace, other than those specifically referenced in subparagraph
7 (iv) of this paragraph and paragraph (v) of subdivision one of section
8 two hundred six of this chapter; and provided, however, that nothing in
9 this section shall apply to the medical assistance program under title
10 eleven of article five of the social services law; (xi) transactions
11 conducted through the patient-facing portal of an individual's electronic
12 health record; [~~ex~~] (xii) indication made on any personal income tax
13 document that is subject to mandatory electronic filing in accordance
14 with the provisions of section twenty-nine of the tax law; or (xiii)
15 through any other method identified by the commissioner. The department
16 shall establish a means by which to register the consent given by individuals
17 who are sixteen or seventeen years of age in the donate life
18 registry, and shall make registration available by any of the methods
19 provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii),
20 (viii), (ix), (x), (xi) [~~and~~], (xii) and (xiii) of this paragraph.

21 § 2. Paragraph (a) of subdivision 5 of section 4310 of the public
22 health law, as amended by section 2 of chapter 128 of the laws of 2025,
23 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-
28 cation made on a voter registration form pursuant to subdivision five of
29 section 5-210 of the election law, (iv) indication made on the applica-
30 tion for, or manual renewal application by an account holder of, health
31 care coverage offered through the state health benefit exchange, (v)
32 enrollment through the donate life registry website, (vi) paper enroll-
33 ment submitted to the donate life registry, (vii) indication made on the
34 application or renewal form of a hunting, fishing or trapping license
35 issued pursuant to title seven of article eleven of the environmental
36 conservation law, (viii) indication made on transactions administered by
37 the office of temporary and disability assistance through the mybene-
38 fits.ny.gov website, or any such successor website; (ix) indication made
39 on applications, renewals or related transactions for college financial
40 aid, grants, or scholarships offered or administered through any website
41 maintained by the higher education services corporation; (x) trans-
42 actions conducted through the patient-facing portal of an individual's
43 electronic health records; [~~ex~~] (xi) indication made on any personal
44 income tax document that is subject to mandatory electronic filing in
45 accordance with the provisions of section twenty-nine of the tax law; or
46 (xii) through any other method identified by the commissioner. The
47 department shall establish a means by which to register the consent
48 given by individuals who are sixteen or seventeen years of age in the
49 donate life registry, and shall make registration available by any of
50 the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi),
51 (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of this paragraph.

52 § 3. Subparagraph (i) of paragraph (b) of subdivision 5 of section
53 4310 of the public health law, as amended by section 5 of chapter 662 of
54 the laws of 2024, is amended to read as follows:

55 (i) Where required by law for transactions described in subparagraphs
56 (i), (ii), (iv), (vii), (viii), (ix), (x), (xi) [~~and~~], (xii) and (xiii)

1 of paragraph (a) of this subdivision, the commissioner shall ensure, in
2 consultation with the head of any agency required to implement such
3 transaction, that space is provided on any required form so that the
4 applicant shall register or decline registration in the donate life
5 registry for organ, eye and tissue donations under this section and that
6 the following is stated on the form in clear and 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 § 4. Subparagraph (i) of paragraph (b) of subdivision 5 of section
11 4310 of the public health law, as amended by section 4 of chapter 662 of
12 the laws of 2024, is amended to read as follows:

13 (i) Where required by law for transactions described in subparagraphs
14 (i), (ii), (iv), (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of para-
15 graph (a) of this subdivision, the commissioner shall ensure, in consul-
16 tation with the head of any agency required to implement such trans-
17 action, that space is provided on any required form so that the
18 applicant shall register or decline registration in the donate life
19 registry for organ, eye and tissue donations under this section and that
20 the following is stated on the form in clear and conspicuous type:

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

24 § 5. This act shall take effect on the one hundred eightieth day after
25 it shall have become a law; provided, however, that:

26 (a) if section 2 of chapter 128 of the laws of 2025 shall not have
27 taken effect on or before such date then section two of this act shall
28 take effect on the same date and in the same manner as such section of
29 such chapter of the laws of 2025, takes effect;

30 (b) if section 5 of chapter 662 of the laws of 2024 shall not have
31 taken effect on or before such date then section three of this act shall
32 take effect on the same date and in the same manner as such section of
33 such chapter of the laws of 2024, takes effect; and

34 (c) effective immediately, the commissioner of health is authorized to
35 take any actions necessary to implement the provisions of this act on or
36 before its effective date.