

STATE OF NEW YORK

8841

IN SENATE

January 8, 2026

Introduced by Sen. RIVERA -- read twice and ordered printed, and when printed to be committed 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 2 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 state health benefit exchange, (v)
12 enrollment through the donate life registry website, (vi) paper enroll-
13 ment submitted to the donate life registry, (vii) indication made on the
14 application or renewal form of a hunting, fishing or trapping license
15 issued pursuant to title seven of article eleven of the environmental
16 conservation law, (viii) indication made on transactions administered by
17 the office of temporary and disability assistance through the mybene-
18 fits.ny.gov website, or any such successor website; (ix) indication made
19 on applications, renewals or related transactions for college financial
20 aid, grants, or scholarships offered or administered through any website
21 maintained by the higher education services corporation; (x) trans-
22 actions conducted through the patient-facing portal of an individual's
23 electronic health records; [~~ex~~] (xi) indication made on any personal
24 income tax document that is subject to mandatory electronic filing in
25 accordance with the provisions of section twenty-nine of the tax law; or
26 (xii) through any other method identified by the commissioner. The
27 department shall establish a means by which to register the consent

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

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1 given by individuals who are sixteen or seventeen years of age in the
2 donate life registry, and shall make registration available by any of
3 the methods provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi),
4 (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of this paragraph.

5 § 2. Paragraph (a) of subdivision 5 of section 4310 of the public
6 health law, as amended by section 3 of chapter 128 of the laws of 2025,
7 is amended to read as follows:

8 (a) Such organ, eye and tissue registration of consent to make an
9 anatomical gift can be made through: (i) indication made on the applica-
10 tion or renewal form of a driver's license, (ii) indication made on a
11 non-driver identification card application or renewal form, (iii) indi-
12 cation made on a voter registration form pursuant to subdivision five of
13 section 5-210 of the election law, (iv) indication made on the applica-
14 tion for, or manual renewal application by an account holder of, health
15 care coverage offered through the NY State of Health, the official
16 Health Plan Marketplace, (v) enrollment through the donate life registry
17 website, (vi) paper enrollment submitted to the donate life registry,
18 (vii) indication made on the application or renewal form of a hunting,
19 fishing or trapping license issued pursuant to title seven of article
20 eleven of the environmental conservation law, (viii) indication made on
21 transactions administered by the office of temporary and disability
22 assistance through the mybenefits.ny.gov website, or any such successor
23 website; (ix) indication made on applications, renewals or related tran-
24 sactions for college financial aid, grants, or scholarships offered or
25 administered through any website maintained by the higher education
26 services corporation; (x) indication made by an insured and/or applicant
27 for insurance during enrollments, renewals, and the initial process for
28 an insured in setting up an online member service portal with their
29 insurer for accident and health insurance policies and contracts issued
30 pursuant to article forty-four of this chapter, article forty-two of the
31 insurance law, or article forty-three of the insurance law, excepting
32 renewals made through the NY State of Health, the official Health Plan
33 Marketplace, other than those specifically referenced in subparagraph
34 (iv) of this paragraph and paragraph (v) of subdivision one of section
35 two hundred six of this chapter; and provided, however, that nothing in
36 this section shall apply to the medical assistance program under title
37 eleven of article five of the social services law; (xi) transactions
38 conducted through the patient-facing portal of an individual's electronic
39 health record; [~~or~~] (xii) indication made on any personal income tax
40 document that is subject to mandatory electronic filing in accordance
41 with the provisions of section twenty-nine of the tax law; or (xiii)
42 through any other method identified by the commissioner. The department
43 shall establish a means by which to register the consent given by indi-
44 viduals who are sixteen or seventeen years of age in the donate life
45 registry, and shall make registration available by any of the methods
46 provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii),
47 (viii), (ix), (x), (xi) [~~and~~], (xii) and (xiii) of this paragraph.

48 § 3. Subparagraph (i) of paragraph (b) of subdivision 5 of section
49 4310 of the public health law, as amended by section 4 of chapter 662 of
50 the laws of 2024, is amended to read as follows:

51 (i) Where required by law for transactions described in subparagraphs
52 (i), (ii), (iv), (vii), (viii), (ix), (x) [~~and~~], (xi) and (xii) of para-
53 graph (a) of this subdivision, the commissioner shall ensure, in consul-
54 tation with the head of any agency required to implement such trans-
55 action, that space is provided on any required form so that the
56 applicant shall register or decline registration in the donate life

1 registry for organ, eye and tissue donations under this section and that
2 the following is stated on the form in clear and conspicuous type:

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

6 § 4. Subparagraph (i) of paragraph (b) of subdivision 5 of section
7 4310 of the public health law, as amended by section 5 of chapter 662 of
8 the laws of 2024, is amended to read as follows:

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

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

20 § 5. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law; provided, however, that if section 3 of
22 chapter 128 of the laws of 2025 shall not have taken effect on or before
23 such date then section two of this act shall take effect on the same
24 date and in the same manner as such section of such chapter of the laws
25 of 2025, takes effect; provided further, that if section 5 of chapter
26 662 of the laws of 2024 shall not have taken effect on or before such
27 date then section four of this act shall take effect on the same date
28 and in the same manner as such section of such chapter of the laws of
29 2024, takes effect. Effective immediately, the commissioner of health is
30 authorized to take any actions necessary to implement the provisions of
31 this act on or before its effective date.