STATE OF NEW YORK

6824--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 14, 2025

Introduced by M. of A. WOERNER, WALSH, LEVENBERG -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the county law, in relation to eye and tissue donation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 1 of section 671 of the county law, as amended by chapter 322 of the laws of 2021, is amended and a new paragraph (c) is added to read as follows:

(b) shall make inquiry into all deaths whether natural or unnatural in [~~his or her~~] **their** county occurring to an incarcerated individual of a correctional facility as defined by subdivision three of section forty of the correction law, whether or not the death occurred inside such facility[~~.~~]**;**

(c) shall develop a referral protocol to promptly identify donors of anatomical gifts for deaths that fall under their jurisdiction and occur outside of a hospital. This protocol shall include, but shall not be limited to, requiring a call and/or text be promptly placed to a designated representative of the appropriate eye and tissue bank, as those terms are defined in section forty-three hundred of the public health law, to enable such procurement organizations to verify donor registry and make a donor suitability determination.

§ 2. Subdivision 1 of section 674-a of the county law, as added by chapter 899 of the laws of 1977, is amended as follows:

1. Notwithstanding any provision of law to the contrary, **upon notice to the appropriate procurement organizations in accordance with the referral protocol established pursuant to this article**, if **it is determined that** the decedent who is under the jurisdiction of the coroner or medical examiner as defined in this chapter is a donor of all or part of [~~his~~] **their** body as defined in the public health law including properly

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

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executed consent, such body or part thereof [~~being~~] **is** medically suitable for transplant**,** and the donation [~~having~~] **has** been executed pursuant to the provisions of the public health law, the coroner, the coroner's physician or the medical examiner who has notice of such donation shall only perform an autopsy and/or analysis of **eyes,** tissues or organs in a manner and within a time period compatible with the preservation for the purposes of transplantation of said donation.

§ 3. This act shall take effect immediately.