

## CHAPTER 885

## H.B. No. 805

An Act relating to procedures utilized by the Texas Department of Public Safety in providing information concerning organ donations and to identify potential organ donors.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 11B, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), is amended to read as follows:

**Sec. 11B. ANATOMICAL GIFTS [~~]; EXECUTION ON REVERSE SIDE OF DRIVER'S LICENSE~~].** (a) *For purposes of this section, "registry" means a nonprofit organization, corporation, or association that provides a statewide network of registering willing organ donors for purposes of making an anatomical gift of needed parts of the body. [A gift of any needed parts of the body may be made by executing a statement of gift printed on the reverse side of the donor's driver's license. A signed and witnessed statement of gift thereon shall be deemed to comply with the Texas Anatomical Gift Act (Article 4590-2, Vernon's Texas Civil Statutes). The gift is invalid on expiration, cancellation, revocation, or suspension of the driver's license. To be valid, the statement must be executed each time the driver's license is replaced, reinstated, or renewed.]*

*(b) At the time a person applies for the issuance, renewal, reinstatement, or replacement of a driver's license, the Department shall ask whether the person wishes to be an organ donor. The Department shall print such question on the application for issuance, renewal, reinstatement, or replacement of a driver's license. Upon request of the applicant, the Department shall furnish to the applicant an informational form published and made available by the registry on which the applicant may request additional information, which includes an organ donor form complying with the terms of the Texas Anatomical Gift Act (Article 4590-2, Vernon's Texas Civil Statutes), on organ donation from the registry.*

*(c) [(b)] The Department shall enter into an agreement with one or more registries to provide information to the registry regarding each person who indicates he wishes to be an organ donor on the forms described under this Subsection. The registry shall agree to deliver, to each person who completes an informational form, supplemental information on procedures necessary to register as an organ donor. On receipt of a completed organ donor form, the registry shall provide a sticker*

*approved by the Department for placement on the person's driver's license indicating the fact that the person has signed an organ donor form complying with the terms of the Texas Anatomical Gift Act (Article 4590-2, Vernon's Texas Civil Statutes). The registry may not use the names of organ donors for any purpose other than use in the organ donor network. As part of the agreement under this Subsection, the registry shall make available to the Department printed information regarding anatomical gifts. The Department shall make the information available to persons applying for the issuance, renewal, reinstatement, or replacement of a [print a statement certifying the willingness to make an anatomical gift on the reverse side of each] driver's license.*

*(d) Any statement of anatomical gift that was properly executed on a driver's license before the effective date of this Act remains valid and shall be deemed to comply with the Texas Anatomical Gift Act (Article 4590-2, Vernon's Texas Civil Statutes).*

*(e) In lieu of the procedures described in Subsections (a), (b), and (c) of this Section, the Department may provide a space for a donor emblem on the reverse side of each driver's license.*

**SECTION 2.** This Act takes effect September 1, 1985.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 9, 1985, by a non-record vote; House refused to concur in Senate amendments to H.B. No. 805 on May 26, 1985, and requested the appointment of a conference committee to consider the differences between the two houses; House adopted the conference committee report on H.B. No. 805 on May 27, 1985, by the following vote: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 24, 1985, by the following vote: Yeas 29, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; Senate adopted the conference committee report on H.B. No. 805 on May 27, 1985, by a viva-voce vote.

Approved: June 15, 1985

Effective: September 1, 1985