

By the Committee on Criminal Justice and Senator King

307-2175-00

1 A bill to be entitled
2 An act relating to anatomical gifts by inmates;
3 requiring the Department of Corrections to
4 provide each person remanded to the custody of
5 the department the opportunity to obtain an
6 anatomical gift donor card; providing that the
7 act does not confer a right on the part of an
8 inmate to make an anatomical gift; providing
9 for dismissal of certain actions with
10 prejudice; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Anatomical gifts by inmates.--The
15 Department of Corrections shall provide each person remanded
16 to the custody of the department the opportunity to obtain an
17 anatomical gift donor card as provided in section 732.914,
18 Florida Statutes. Nothing in this section shall be construed
19 to confer a right on the part of an inmate under the
20 supervision of the Department of Corrections or any private
21 correctional facility contracted by the Department of
22 Corrections to make an anatomical gift. Any claim or action
23 filed on behalf of an inmate which seeks to enforce an alleged
24 right to make or donate an anatomical gift is a nullity and
25 shall be summarily dismissed with prejudice by the court in
26 which the action or claim is filed.

27 Section 2. This act shall take effect upon becoming a
28 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1970

- Removes provisions which permit a capital defendant who is sentenced to death to choose to make organ donations and to choose the method of lethal injection to accomplish the harvesting of the defendant's organs.
- Requires that the Department of Corrections provide each person remanded to the custody of the department the opportunity to obtain an anatomical gift donor card as provided in s. 732.914, F.S.
- Provides that nothing in the bill shall be construed as conferring a right on the part of an inmate to make an anatomical gift.
- Provides that any claim or action filed on behalf of an inmate which seeks to enforce an alleged right to make or donate an anatomical gift is a nullity and shall be summarily dismissed by the court.