## Florida House of Representatives - 2000 By Representative Andrews

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1	A bill to be entitled
2	An act relating to anatomical gifts by capital
3	defendants; creating s. 921.1425, F.S.;
4	providing for anatomical gifts by capital
5	defendants who are sentenced to death;
6	providing for alternative methods of execution;
7	providing priority for state residents;
8	prohibiting compensation for such donations;
9	requiring the Department of Corrections to
10	notify certain persons of the right to make
11	anatomical gifts and to rescind such gifts;
12	requiring the department to adopt certain
13	rules; providing an effective date.
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15	Be It Enacted by the Legislature of the State of Florida:
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17	Section 1. Section 921.1425, Florida Statutes, is
18	created to read:
19	921.1425 Anatomical gifts by capital defendants
20	(1) Any person who is convicted or adjudicated guilty
21	of a capital felony and who is sentenced to death by lethal
22	injection may choose to make an anatomical gift of all or any
23	part of his or her body pursuant to part X of chapter 732.
24	(2) Such person may choose the method of lethal
25	injection under this section to be:
26	(a) Introduction of a suitable substance into the body
27	which would cause the irreversible cessation of all brain
28	functions other than autonomic nervous system functions for
29	purposes of maintaining cardiac and pulmonary functions to
30	preserve the tissues and organs of such person naturally,
31	without resorting to artificial means of support, until
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appropriate donees for such tissues or organs can be located; 1 2 or (b) Introduction of suitable substances into the body 3 4 which would cause irreversible cessation of cardiac and 5 pulmonary functions. If such a person is executed by a method 6 under this paragraph, the person may choose to donate any 7 organ or tissue that can be appropriately recovered after such 8 irreversible cessation of cardiac and pulmonary functions. 9 Notwithstanding s. 382.009, for purposes of determinations of 10 death under paragraph (a), irreversible cessation of all brain 11 12 functions other than autonomic nervous system functions 13 constitutes death. 14 (3) Notwithstanding s. 732.913, any organs or tissue 15 recovered from such person pursuant to this section shall be 16 made available first to residents of this state. 17 (4) A person choosing to make an anatomical gift pursuant to this section shall not be compensated for such 18 donation, whether financially, by special consideration, or in 19 20 any other way. (5) The Department of Corrections shall notify in 21 22 writing each person who is sentenced to death of the person's right to make an anatomical gift pursuant to the provisions of 23 24 part X of chapter 732 and this section and of the right to rescind such gift before execution. The department shall adopt 25 26 rules to implement this subsection. 27 Section 2. This act shall take effect upon becoming a 28 law. 29 30 31

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2	HOUSE SUMMARY
3	Durvides for a social defendant the is sentenced to
4	Provides for a capital defendant who is sentenced to death to make an anatomical gift of all or any part of
5	his or her body, provides for alternative methods of execution in such a case, provides for priority for
6	Florida residents, prohibits compensation for such donations, and requires the Department of Corrections to
7	notify persons sentenced to death of their right to make anatomical gifts and to rescind such gifts.
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