

HB 1087

2021

1 A bill to be entitled
2 An act relating to a procurement activities of for-
3 profit eye banks; amending ss. 765.542 and 873.01,
4 F.S.; prohibiting for-profit eye banks from procuring
5 certain human organs and tissue for specified
6 purposes; providing certain exceptions; providing an
7 effective date.

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

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11 Section 1. Subsection (4) of section 765.542, Florida
12 Statutes, is renumbered as subsection (5), and a new subsection
13 (4) is added to that section to read:

14 765.542 Requirements to engage in organ, tissue, or eye
15 procurement.—

16 (4) A for-profit eye bank may not directly or indirectly
17 engage in the procurement of any eye, cornea, eye tissue, or
18 corneal tissue for use in live-cell corneal transplantation.
19 This subsection does not apply to a hospital or an ambulatory
20 surgical center licensed under chapter 395 or to a district
21 medical examiner appointed under chapter 406.

22 Section 2. Subsections (3) and (4) of section 873.01,
23 Florida Statutes, are renumbered as subsections (4) and (5),
24 respectively, subsections (1) and (2) are amended, and a new
25 subsection (3) is added to that section, to read:

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26 873.01 Purchase or sale of human organs and tissue
27 prohibited.—

28 (1) A ~~No~~ person may not ~~shall~~ knowingly offer to purchase
29 or sell, or purchase, sell, or otherwise transfer, any human
30 organ or tissue for valuable consideration.

31 (2) A ~~No~~ for-profit corporation or any employee thereof
32 may not ~~shall~~ transfer or arrange for the transfer of any human
33 body part for valuable consideration.

34 (3) A for-profit eye bank, as defined in s. 765.511, may
35 not directly or indirectly engage in the procurement, as defined
36 in s. 765.511, of any eye, cornea, eye tissue, or corneal tissue
37 for use in live-cell corneal transplantation. This subsection
38 does not apply to a hospital or an ambulatory surgical center
39 licensed under chapter 395 or to a district medical examiner
40 appointed under chapter 406.

41 Section 3. This act shall take effect July 1, 2021.