

By Senator Rouson

19-00193-21

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1 A bill to be entitled

2 An act relating to the procurement of human organs and
3 tissue; amending s. 765.542, F.S.; prohibiting for-
4 profit eye banks from procuring certain human organs
5 and tissue for specified purposes; provides
6 applicability; amending s. 873.01, F.S.; prohibiting
7 for-profit eye banks from procuring certain human
8 organs and tissue for specified purposes; provides
9 applicability; providing an effective date.

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

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13 Section 1. Present subsection (4) of section 765.542,
14 Florida Statutes, is redesignated as subsection (5), and a new
15 subsection (4) is added to that section, to read:

16 765.542 Requirements to engage in organ, tissue, or eye
17 procurement.-

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

24 Section 2. Present subsections (3) and (4) of section
25 873.01, Florida Statutes, are redesignated as subsections (4)
26 and (5), respectively, a new subsection (3) is added to that
27 section, and subsections (1) and (2) of that section are
28 amended, to read:

29 873.01 Purchase or sale of human organs and tissue

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30 prohibited.-

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

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

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

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