

By Senator Davis

5-01088B-25

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1 A bill to be entitled
2 An act relating to organ and tissue donation; amending
3 s. 765.514, F.S.; authorizing a minor under 18 years
4 of age to be an organ and tissue donor with informed
5 parental consent; requiring the Department of Highway
6 Safety and Motor Vehicles to provide certain education
7 on organ and tissue donation to a donor at a specified
8 time; amending s. 765.5155, F.S.; revising criteria
9 for the web-based donor registry and anatomical gift
10 education program; providing an effective date.

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

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14 Section 1. Subsection (1) of section 765.514, Florida
15 Statutes, is amended to read:

16 765.514 Manner of making anatomical gifts.—

17 (1) A person, or a minor under 18 years of age with
18 informed parental consent, may make an anatomical gift of all or
19 part of his or her body under s. 765.512(1) by:

20 (a) Signing an organ and tissue donor card. The department
21 shall, at the time of signature:

22 1. Provide education regarding organ and tissue donation
23 options and methods of making changes to the election.

24 2. Collect informed consent from the donor.

25 3. Provide organ and tissue donation options.

26 4. Inform the donor that election serves as a last will and
27 testament.

28 (b) Registering online with the donor registry.

29 (c) Signifying an intent to donate on his or her driver

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30 license or identification card issued by the department.
31 Revocation, suspension, expiration, or cancellation of the
32 driver license or identification card does not invalidate the
33 gift.

34 (d) Expressing a wish to donate in a living will or other
35 advance directive.

36 (e) Executing a will that includes a provision indicating
37 that the testator wishes to make an anatomical gift. The gift
38 becomes effective upon the death of the testator without waiting
39 for probate. If the will is not probated or if it is declared
40 invalid for testamentary purposes, the gift is nevertheless
41 valid to the extent that it has been acted upon in good faith.

42 (f) Expressing a wish to donate in a document other than a
43 will. The document must be signed by the donor in the presence
44 of two witnesses who shall sign the document in the donor's
45 presence. If the donor cannot sign, the document may be signed
46 for him or her at the donor's direction and in his or her
47 presence and the presence of two witnesses who must sign the
48 document in the donor's presence. Delivery of the document of
49 gift during the donor's lifetime is not necessary to make the
50 gift valid. The following form of written document is sufficient
51 for any person to make an anatomical gift for the purposes of
52 this part:

53

54

UNIFORM DONOR CARD

55 The undersigned hereby makes this anatomical gift, if medically
56 acceptable, to take effect on death. The words and marks below
57 indicate my desires:

58 I give:

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59 (a) any needed organs, tissues, or eyes;
 60 (b) only the following organs, tissues, or eyes
 61 ...[Specify the organs, tissues, or eyes]...
 62 for the purpose of transplantation, therapy, medical research,
 63 or education;
 64 (c) my body for anatomical study if needed.
 65 Limitations or special wishes, if any:
 66 ...(If applicable, list specific donee; this must be arranged in
 67 advance with the donee.)...
 68 Signed by the donor and the following witnesses in the presence
 69 of each other:
 70 ...(Signature of donor)... ...(Date of birth of donor)...
 71 ...(Date signed)... ...(City and State)...
 72 ...(Witness)... ...(Witness)...
 73 ...(Address)... ...(Address)...

74
 75 Section 2. Paragraphs (a) and (b) of subsection (3) of
 76 section 765.5155, Florida Statutes, are amended to read:

77 765.5155 Donor registry; education program.—

78 (3) The contractor shall be responsible for:

79 (a) The development, implementation, and maintenance of an
 80 interactive web-based donor registry that, through electronic
 81 means, allows for user-friendly online organ donor registration
 82 and the recording, selection, and editing of organ and tissue
 83 donation records submitted through the driver license
 84 identification program or through other sources.

85 1. The registry must be maintained in a manner that allows,
 86 through electronic and telephonic methods, immediate access to
 87 organ and tissue donation records 24 hours a day, 7 days a week.

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88 2. Access to the registry must be through coded and secure
89 means to protect the integrity of the data in the registry.

90 (b) A continuing program to educate and inform medical
91 professionals, law enforcement agencies and officers, other
92 state and local government employees, ~~high school students,~~
93 minorities, and the public about the laws of this state relating
94 to anatomical gifts and the need for anatomical gifts.

95 1. Existing community resources, when available, must be
96 used to support the program and volunteers may assist the
97 program to the maximum extent possible.

98 2. The contractor shall coordinate with the head of a state
99 agency or other political subdivision of the state, or his or
100 her designee, to establish convenient times, dates, and
101 locations for educating that entity's employees.

102 Section 3. This act shall take effect July 1, 2025.