

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 465 Session of
2015

INTRODUCED BY ELLIS, SCHLOSSBERG, COHEN, EVERETT, MILLARD, DAY,
SCHWEYER, DIAMOND, DEASY, MURT, A. HARRIS, D. COSTA,
READSHAW, GIBBONS, SIMMONS, TRUITT AND TOOHL,
FEBRUARY 12, 2015

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 12, 2015

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions, further
3 providing for definitions; and, in miscellaneous provisions,
4 providing for voluntary posthumous organ donation by inmates.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 102 of Title 61 of the Pennsylvania
8 Consolidated Statutes is amended by adding a definition to read:
9 § 102. Definitions.

10 The following words and phrases when used in this title shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Anatomical gift." A donation of all or part of a human body
14 to take effect after the donor's death for the purpose of
15 transplantation, therapy, research or education.

16 * * *

17 Section 2. Title 61 is amended by adding a section to read:
18 § 5907. Organ donation by inmates.

1 (a) Information to be provided.--Upon intake, the department
2 shall make available to each inmate a document of gift form
3 which will allow the inmate to indicate the inmate's desire to
4 make an anatomical gift if the inmate dies while in the custody
5 of the department.

6 (b) Recordkeeping.--If an inmate indicates a desire to make
7 an anatomical gift, the department shall maintain a record of
8 the inmate's document of gift form.

9 (c) Release of information.--In the event that an inmate
10 dies while in the custody of the department, the department
11 shall release the inmate's document of gift form.

12 (d) Policy.--The department shall establish policy and may
13 promulgate regulations necessary to carry out the provisions of
14 this section.

15 (e) Construction.--Nothing in this section shall be
16 construed to authorize the reduction of an inmate's term of
17 imprisonment on the basis of the inmate indicating a desire to
18 make an anatomical gift.

19 Section 3. This act shall take effect in 60 days.