

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1661 Session of 1983

INTRODUCED BY OLASZ, CLARK, MANDERINO, SEVENTY, SALOOM, BARBER, PETRARCA, DeWEESE, MISCEVICH, CAWLEY, TIGUE, GRUITZA, ZWIKL, DOMBROWSKI, DAVIES, CESSAR, LEHR, BELFANTI, DUFFY, BELARDI, STEIGHNER, JAROLIN, DALEY, KASUNIC, STUBAN, GALLEN, GRUPPO, McMONAGLE, DeLUCA, PETRONE, COLE AND BOOK, OCTOBER 26, 1983

SENATOR SNYDER, JUDICIARY, IN SENATE, AS AMENDED, SEPTEMBER 25, 1984

AN ACT

1 Prohibiting the transfer of certain human organs AND TISSUES for <—
2 valuable consideration.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Prohibition of organ AND NONREGENERATIVE TISSUE <—
6 purchases.

7 (a) General rule.--It is unlawful for any person to
8 knowingly acquire, receive ~~or otherwise transfer any human~~ <—
9 ~~organ~~, TRANSFER OR IN ANY WAY FACILITATE THE TRANSFER FOR <—
10 TRANSPLANTATION OR OTHER MEDICAL THERAPY ANY HUMAN ORGAN OR
11 NONREGENERATIVE TISSUE for valuable consideration.

12 (b) Penalty.--Any person who violates subsection (a) commits
13 a misdemeanor of the first degree and, upon conviction, shall be
14 fined not more than \$50,000 or imprisoned not more than five
15 years, or both.

1 (c) Definitions.--As used in this section the following
2 words and phrases shall have the meanings given to them in this
3 subsection:

4 "Human organ." The human kidney, liver, heart, lung,
5 pancreas ~~and~~ OR any other VITAL human organ ~~or tissue including~~ <—
6 ~~corneas, bone and skin.~~ FROM LIVING OR CADAVERIC PROVIDERS. <—

7 "NONREGENERATIVE TISSUE." INCLUDES EYES, CORNEAS, BONES,
8 CARTILAGE AND OTHER TISSUE NOT NORMALLY RENEWABLE BY THE HUMAN
9 BODY. THE TERM SPECIFICALLY EXCLUDES SUCH REGENERATIVE TISSUES
10 AS HUMAN BLOOD AND BLOOD PRODUCTS, IN VITRO PREPARATIONS OF
11 HUMAN CELLS, SPERM AND OTHER TISSUES READILY RENEWABLE BY THE
12 HUMAN BODY.

13 "Valuable consideration." Does not include the reasonable
14 costs associated with the ~~removal, storage~~ MEDICAL EVALUATION, <—
15 REMOVAL, PRESERVATION and transportation of ~~a human organ~~ HUMAN <—
16 ORGANS AND TISSUES FOR TRANSPLANTATION OR OTHER MEDICAL THERAPY,
17 but includes any other consideration OF VALUE GIVEN OR RECEIVED. <—

18 Section 2. Effective date.

19 This act shall take effect immediately.