

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1502 Session of  
1997

INTRODUCED BY PETRARCA, BARLEY, OLASZ AND GEIST, MAY 13, 1997

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 1, 1998

AN ACT

~~1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the~~ <—  
~~2 Pennsylvania Consolidated Statutes, further providing for~~  
~~3 contributions to the Organ Donation Awareness Trust Fund.~~

4 AMENDING TITLE 20 (DECEDENTS, ESTATES AND FIDUCIARIES) OF THE <—  
5 PENNSYLVANIA CONSOLIDATED STATUTES, FURTHER PROVIDING FOR  
6 PERSONS WHO MAY EXECUTE ANATOMICAL GIFTS AND FOR  
7 CONTRIBUTIONS TO THE ORGAN DONATION AWARENESS TRUST FUND.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 ~~Section 1. Section 8621 of Title 20 of the Pennsylvania~~ <—  
11 ~~Consolidated Statutes is amended to read:~~

12 ~~§ 8621. Organ Donation Awareness Trust Fund contributions.~~

13 ~~[Beginning as soon as practicable, but no later than January~~ <—  
14 ~~1, 1995, for driver's license or identification card and July 1,~~ <—  
15 ~~1997, for vehicle registration the] THE Department of~~ <—

16 ~~Transportation shall provide an applicant for an original or~~  
17 ~~renewal vehicle registration, driver's license or identification~~  
18 ~~card the opportunity to make a contribution of \$1 to the [fund]~~ <—

19 ~~ORGAN DONATION AWARENESS TRUST FUND. The contribution shall be~~ <—

1 ~~added to the regular fee for an original or renewal vehicle~~  
2 ~~registration, driver's license or identification card. One~~  
3 ~~contribution may be made for each issuance or renewal of a~~  
4 ~~vehicle registration, license or identification card.~~  
5 ~~Contributions shall be used exclusively for the purposes set out~~  
6 ~~in section 8622 (relating to Organ Donation Awareness Trust~~  
7 ~~Fund). The Department of Transportation shall monthly determine~~  
8 ~~the total amount designated under this section and shall report~~  
9 ~~that amount to the State Treasurer, who shall transfer that~~  
10 ~~amount to the Organ Donation Awareness Trust Fund.~~

11 ~~Section 2. This act shall take effect immediately IN ONE~~ <—  
12 ~~YEAR.~~

13 SECTION 1. SECTIONS 8611(A) AND 8621 OF TITLE 20 OF THE <—  
14 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

15 § 8611. PERSONS WHO MAY EXECUTE ANATOMICAL GIFT.

16 (A) GENERAL RULE.--ANY INDIVIDUAL OF SOUND MIND AND 18 YEARS  
17 OF AGE OR MORE MAY GIVE ALL OR ANY PART OF HIS BODY FOR ANY  
18 PURPOSE SPECIFIED IN SECTION 8612 (RELATING TO PERSONS WHO MAY  
19 BECOME DONEES; PURPOSES FOR WHICH ANATOMICAL GIFTS MAY BE MADE),  
20 THE GIFT TO TAKE EFFECT UPON DEATH. ANY INDIVIDUAL WHO IS A  
21 MINOR AND 16 YEARS OR AGE OR OLDER MAY EFFECTUATE A GIFT FOR ANY  
22 PURPOSE SPECIFIED IN SECTION 8612, PROVIDED PARENTAL OR GUARDIAN  
23 CONSENT IS DEEMED GIVEN. PARENTAL OR GUARDIAN CONSENT SHALL BE  
24 NOTED ON THE MINOR'S DONOR CARD, APPLICATION FOR THE DONOR'S  
25 LEARNER'S PERMIT OR DRIVER'S LICENSE OR OTHER DOCUMENT OF GIFT.  
26 A GIFT OF THE WHOLE BODY SHALL BE INVALID UNLESS MADE IN WRITING  
27 AT LEAST 15 DAYS PRIOR TO THE DATE OF DEATH[.] OR CONSENT IS  
28 OBTAINED FROM THE LEGAL NEXT OF KIN. WHERE THERE ARE ADULT  
29 CHILDREN OF THE DECEASED WHO ARE NOT CHILDREN OF THE SURVIVING  
30 SPOUSE, THEIR CONSENT SHALL ALSO BE REQUIRED FOR A GIFT OF THE

1 WHOLE BODY FOR ANATOMICAL STUDY.

2 \* \* \*

3 § 8621. ORGAN DONATION AWARENESS TRUST FUND CONTRIBUTIONS.

4 (A) DRIVER'S LICENSE.--BEGINNING AS SOON AS PRACTICABLE, BUT  
5 NO LATER THAN JANUARY 1, 1995, THE DEPARTMENT OF TRANSPORTATION  
6 SHALL PROVIDE AN APPLICANT FOR AN ORIGINAL OR RENEWAL DRIVER'S  
7 LICENSE OR IDENTIFICATION CARD THE OPPORTUNITY TO MAKE A  
8 CONTRIBUTION OF \$1 TO THE FUND. THE CONTRIBUTION SHALL BE ADDED  
9 TO THE REGULAR FEE FOR AN ORIGINAL OR RENEWAL DRIVER'S LICENSE  
10 OR IDENTIFICATION CARD. ONE CONTRIBUTION MAY BE MADE FOR EACH  
11 ISSUANCE OR RENEWAL OF A LICENSE OR IDENTIFICATION CARD.  
12 CONTRIBUTIONS SHALL BE USED EXCLUSIVELY FOR THE PURPOSES SET OUT  
13 IN SECTION 8622 (RELATING TO ORGAN DONATION AWARENESS TRUST  
14 FUND). THE DEPARTMENT OF TRANSPORTATION SHALL MONTHLY DETERMINE  
15 THE TOTAL AMOUNT DESIGNATED UNDER THIS SECTION AND SHALL REPORT  
16 THAT AMOUNT TO THE STATE TREASURER, WHO SHALL TRANSFER THAT  
17 AMOUNT TO THE ORGAN DONATION AWARENESS TRUST FUND.

18 (B) VEHICLE REGISTRATION.--THE DEPARTMENT OF TRANSPORTATION  
19 SHALL PROVIDE AN APPLICANT FOR AN ORIGINAL OR RENEWAL VEHICLE  
20 REGISTRATION THE OPPORTUNITY TO MAKE A CONTRIBUTION OF \$1 TO THE  
21 ORGAN DONATION AWARENESS TRUST FUND. THE CONTRIBUTION SHALL BE  
22 ADDED TO THE REGULAR FEE FOR AN ORIGINAL OR RENEWAL OF A VEHICLE  
23 REGISTRATION. ONE CONTRIBUTION MAY BE MADE FOR EACH ISSUANCE OR  
24 RENEWAL VEHICLE REGISTRATION. CONTRIBUTIONS SHALL BE USED  
25 EXCLUSIVELY FOR THE PURPOSES DESCRIBED IN SECTION 8622. THE  
26 DEPARTMENT OF TRANSPORTATION SHALL MONTHLY DETERMINE THE TOTAL  
27 AMOUNT DESIGNATED UNDER THIS SECTION AND SHALL REPORT THAT  
28 AMOUNT TO THE STATE TREASURER, WHO SHALL TRANSFER THAT AMOUNT TO  
29 THE ORGAN DONATION AWARENESS TRUST FUND. THE GENERAL FUND SHALL  
30 REIMBURSE THE DEPARTMENT OF TRANSPORTATION FOR THE ACTUAL ANNUAL

1 OPERATING COSTS OF THE PROGRAM FOR VEHICLE REGISTRATIONS AS  
2 DESCRIBED IN THIS SUBSECTION SUBJECT TO THE FOLLOWING LIMITS:  
3 FOR THE FIRST FISCAL YEAR DURING WHICH THIS SUBSECTION IS  
4 EFFECTIVE, THE GENERAL FUND SHALL REIMBURSE THE DEPARTMENT OF  
5 TRANSPORTATION FOR THE ACTUAL OPERATING COSTS OF THE PROGRAM IN  
6 THIS SUBSECTION, UP TO A MAXIMUM OF \$100,000. FOR EACH FISCAL  
7 YEAR THEREAFTER, THE GENERAL FUND SHALL REIMBURSE THE DEPARTMENT  
8 OF TRANSPORTATION FOR THE ACTUAL OPERATING COSTS OF THE PROGRAM  
9 IN THIS SUBSECTION, IN AN AMOUNT NOT TO EXCEED THE PRIOR YEAR'S  
10 ACTUAL OPERATING COSTS, ON A FULL FISCAL YEAR BASIS, PLUS 3%.  
11 THE AMOUNTS APPROVED BY THE GOVERNOR AS NECESSARY ARE HEREBY  
12 APPROPRIATED FROM THE GENERAL FUND FOR THIS PURPOSE.

13 SECTION 2. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

14 (1) THE AMENDMENT OF 20 PA.C.S. § 8621 SHALL TAKE EFFECT  
15 IN ONE YEAR.

16 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
17 IMMEDIATELY.