

HOUSE BILL NO. HB0233

Organ donor designation on hunting and fishing licenses.

Sponsored by: Representative(s) Nicholas and Larsen

A BILL

for

1 AN ACT relating to anatomical gifts; providing for donor
 2 designations on hunting and fishing licenses; specifying
 3 duties of the game and fish commission and department;
 4 providing for release of donor information to procurement
 5 organizations; making conforming amendments; providing for
 6 recoupment of costs; providing an appropriation; and
 7 providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 23-1-302(a) by creating a new
 12 paragraph (xxxiii), 23-1-706, 35-5-202(a)(iv) and (vi),
 13 35-5-205(a)(i) and (c), 35-5-213(a) and (b) and 35-5-219(a)
 14 and (b) are amended to read:

15

16 **23-1-302. Powers and duties.**

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2 (a) The commission is directed and empowered:

3

4 (xxxiii) To provide information on applications
5 for hunting and fishing licenses regarding the existence of
6 the anatomical organ donor program and to affix a document
7 of gift designation on hunting and fishing licenses in
8 accordance with W.S. 23-1-706(b).

9

10 **23-1-706. Game and fish licenses; anatomical donor**
11 **designation; confidentiality.**

12

13 (a) The commission shall establish a process by which
14 an applicant for any game and fish license, permit or tag
15 authorized by this act may designate as public personally
16 identifiable information required for the applicant to
17 purchase the license, permit or tag. Unless designated as
18 public by the applicant or as otherwise provided by law,
19 personally identifiable information submitted for any game
20 and fish license, permit or tag is solely for the use of
21 the department or appropriate law enforcement offices and
22 is not a public record for purposes of W.S. 16-4-201
23 through 16-4-205. As used in this section, "personally

1 identifiable information" includes an applicant's
2 electronic mail address, date of birth, telephone number,
3 driver's license number, social security number, passport
4 number, sportsperson identification number or tax
5 identification number or any part of any of the preceding
6 information.

7
8 (b) The commission shall establish a process by which
9 an applicant for a hunting or fishing license may designate
10 his desire to make an anatomical gift and have a document
11 of gift affixed to his hunting or fishing license pursuant
12 to this title and the Revised Uniform Anatomical Gift Act.
13 The process shall allow for revocation of a designation and
14 reissuance of the license at no additional fee. A person
15 choosing to have a document of gift affixed to his hunting
16 or fishing license shall be deemed to have consented to the
17 release by the department of personally identifiable
18 information for use as provided in W.S. 35-5-213 and
19 35-5-219(b). Unless the person designates his personally
20 identifiable information as public pursuant to subsection
21 (a) of this section, the information shall not be public
22 and shall be used only as provided in subsection (a) of
23 this section and W.S. 35-5-213 and 35-5-219(b). The

1 commission shall prepare a biennial budget request prior to
2 each budget session of the legislature for the purpose of
3 being reimbursed all costs relating to the implementation
4 of this subsection and shall submit the request to the
5 governor pursuant to W.S. 9-2-1010 through 9-2-1013.

6
7 **35-5-202. Definitions.**

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9 (a) As used in this act:

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11 (iv) "Department" means the department of
12 transportation unless otherwise specified;

13
14 (vi) "Document of gift" means a donor card or
15 other record used to make an anatomical gift. The term
16 includes a statement or symbol on a driver's license,
17 identification card, hunting or fishing license or donor
18 registry;

19
20 **35-5-205. Manner of making anatomical gift before**
21 **donor's death.**

22
23 (a) A donor may make an anatomical gift:

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2 (i) By authorizing a statement or symbol
3 indicating that the donor has made an anatomical gift to be
4 imprinted on the donor's driver's license, hunting or
5 fishing license or identification card;

6

7 (c) Revocation, suspension, expiration or
8 cancellation of a driver's license, hunting or fishing
9 license or identification card upon which an anatomical
10 gift is indicated does not invalidate the gift.

11

12 **35-5-213. Rights and duties of procurement**
13 **organization and others.**

14

15 (a) When a hospital refers an individual at or near
16 death to a procurement organization, the organization shall
17 make a reasonable search of the records of the department
18 of transportation, game and fish department and any donor
19 registry that it knows exists for the geographical area in
20 which the individual resides to ascertain whether the
21 individual has made an anatomical gift.

22

1 (b) A procurement organization shall be allowed
2 reasonable access to information in the records of the
3 department of transportation and game and fish department
4 to ascertain whether an individual at or near death is a
5 donor.

6

7 **35-5-219. Donor registry.**

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9 (a) The department shall electronically transfer to a
10 procurement organization the information that appears on
11 the front of the driver's license or identification card,
12 to include the name, gender, date of birth, social security
13 number if it appears on the license or card, driver's
14 license or identification card number, issue date or
15 renewal date and address of the individual identified as a
16 donor. The game and fish department shall electronically
17 transfer to a procurement organization from a hunting or
18 fishing license of a person electing to be a donor pursuant
19 to W.S. 23-1-706(b), the name, gender, date of birth,
20 sportsperson identification number, hunting or fishing
21 license number, issue date and address of the individual
22 identified as a donor. The ~~department~~departments shall
23 also electronically transfer any subsequent change in the

1 donor's status, including revocation of the gift. The
2 ~~department~~departments shall submit to the department of
3 health a statement of costs incurred to initially install
4 and establish the electronic transfer of donor information.
5 The department of health shall direct the state auditor to
6 reimburse ~~the~~each department for the costs from the
7 anatomical awareness account under W.S. 35-5-225 to the
8 extent there are funds in that account. There shall be no
9 charge to a procurement organization for the transfer of
10 donor information.

11

12 (b) With the information obtained from the department
13 of transportation, game and fish department and ~~from~~ other
14 sources including donors and donors' agents pursuant to
15 W.S. 35-5-205(b), the procurement organization shall
16 establish and maintain a statewide organ and tissue donor
17 registry to facilitate organ and tissue donations. The
18 cost incurred to create and maintain the registry shall be
19 paid by the procurement organization. Registry information
20 shall be accessible to any procurement organization located
21 in Wyoming and may be disseminated to a procurement
22 organization in another state for the recovery or placement

1 of organs and tissue. Registry information may also be
2 disseminated to Wyoming eye banks under this section.

3

4 **Section 2.** There is appropriated thirty-nine thousand
5 dollars (\$39,000.00) from the general fund to the game and
6 fish department for purposes of reimbursing the costs to
7 the department in carrying out its duties under this act.
8 This appropriation shall be for the period beginning with
9 the effective date of this act and ending June 30, 2022.
10 This appropriation shall not be transferred or expended for
11 any other purpose and any unexpended, unobligated funds
12 remaining from this appropriation shall revert as provided
13 by law on June 30, 2022.

14

15 **Section 3.** This act is effective July 1, 2020.

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(END)