

SENATE BILL NO. 411

BY SENATOR KLEINPETER AND REPRESENTATIVES CHASSION, DEWITT,
MACK, ORGERON AND ZERINGUE

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AN ACT

To amend and reenact R.S. 17:2351(6), 2354(A)(1) and (C), and 2354.8(B) and to enact R.S. 17:2351(32) and (33) and R.S. 56:3000(K), relative to anatomical gifts; to provide for definitions; to provide for license application requirements; to provide for information availability; to provide for indication of donor status; to provide for anatomical gift statements; to provide for special wishes; to provide for revocation; to provide for limitation of liability; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known and may be cited as "Willie's Law".

Section 2. R.S. 17:2351(6), 2354(A)(1) and (C), and 2354.8(B) are hereby amended and reenacted and R.S. 17:2351(32) and (33) are hereby enacted to read as follows:

§2351. Definitions

As used in this Part, the following terms have the following meanings:

* * *

(6) "Document of gift" means a donor card or other record used to make an anatomical gift. The term includes a statement or symbol on a driver's license, identification card, **fishing license, hunting license**, or donor registry.

* * *

(32) "Fishing license" means a license or permit issued by the Louisiana Department of Wildlife and Fisheries to fish as defined in R.S. 56:8, for a recreational purpose as defined in R.S. 56:8.

(33) "Hunting license" means a license or permit issued by the Louisiana Department of Wildlife and Fisheries to hunt, as defined in R.S. 56:8, for a recreational purpose as defined in R.S. 56:8.

* * *

1 §2354. Manner of executing anatomical gift prior to death of donor

2 A. A donor may make an anatomical gift by any of the following:

3 (1) Authorizing a statement or symbol indicating that he has made an
4 anatomical gift to be imprinted on his driver's license, identification card, fishing
5 license, or ~~identification card~~ hunting license.

6 * * *

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

10 * * *

11 §2354.8. Donor registry

12 * * *

13 B. The Louisiana Department of Public Safety and Corrections, office of
14 motor vehicles, and the Louisiana Department of Wildlife and Fisheries shall
15 cooperate with any person administering any donor registry that this state
16 establishes, contracts for, or recognizes for the purpose of transferring to the donor
17 registry all relevant information regarding the making, amendment to, or revocation
18 of an anatomical gift.

19 * * *

20 Section 3. R.S. 56:3000(K) is hereby enacted to read as follows:

21 §3000. Recreational license requirements; definitions

22 * * *

23 **K. (1)(a) The Department of Wildlife and Fisheries shall give the widest**
24 **possible dissemination to the anatomical donation program relating to all**
25 **organs and tissues, and shall make whatever provisions are feasible and**
26 **desirable, through its recreational licensing apparatus, to enable persons**
27 **desiring to make such anatomical donations to confirm their desires and**
28 **intentions through the use of suitable documents. Additionally any recreational**
29 **fishing license or hunting license issued by the department shall contain an**
30 **indication thereon whether the named applicant has elected to make an**

1 anatomical gift pursuant to the provisions of this Chapter or R.S. 17:2351 et
2 seq., with an indication made by placing an "X" in the box adjacent to the term
3 "anatomical gift".

4 (b) For recreational fishing license or hunting license applicants who
5 wish to indicate a donor special wish or limitation, instruction for doing so shall
6 be made available to the applicant.

7 (2) Any applicant who has not yet made an election to be an organ and
8 tissue donor shall be asked at the time of application if he would like to make
9 an anatomical gift. The applicant may elect to make an anatomical gift as part
10 of the Louisiana Donor Registry.

11 (3) An anatomical gift made pursuant to this Subsection may be revoked
12 as provided in R.S. 17:2351 et seq.

13 (4) The state or any of its agencies, departments, or political subdivisions
14 shall not be liable in damages or otherwise for any removal or use of any
15 anatomical gift made pursuant to this Subsection.

16 (5) The attending physician, and the hospital where an anatomical gift
17 is made or was to be made, shall not be liable for the removal, use, or the failure
18 to remove or use any anatomical gift made pursuant to this Subsection.

19 (6) Except as otherwise provided in this Subsection, the document of
20 donation and the donation shall be made pursuant to R.S. 17:2351 et seq.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____