

Doug Owens proposes the following substitute bill:

Organ Donation Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Doug Owens

Senate Sponsor: Calvin R. Musselman

LONG TITLE

General Description:

This bill addresses public awareness of organ donation and opportunities for individuals to register as organ donors.

Highlighted Provisions:

This bill:

- requires or encourages information about the option and process to register as an organ donor, to be provided in connection with or in certain circumstances related to:
 - the Division of Wildlife Resources' website;
 - intake at a health care facility; and
 - individual income tax instructions booklets and the State Tax Commission's website;
- requires the Department of Health and Human Services to convene a coalition of life-saving programs and create a comprehensive plan for communicating about those programs through state-owned channels; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53B-1-111, as last amended by Laws of Utah 2023, Chapter 328

59-10-103.1, as last amended by Laws of Utah 2022, Chapter 258

ENACTS:

23A-1-207, Utah Code Annotated 1953

26B-1-436, Utah Code Annotated 1953

26B-2-244, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **23A-1-207** is enacted to read:

23A-1-207 . Organ donation.

(1) As used in this section:

(a) "Donor" means the same as that term is defined in Section 26B-8-301.

(b) "Donor registry" means the same as that term is defined in Section 26B-8-301.

(2) On the division's website, the division shall provide:

(a) information about the option to register as a donor; and

(b) a link to a website for a donor registry where an individual can register as a donor.

(3) The requirements in Subsection (2) do not apply if the division provides information on the division's website in connection with a comprehensive plan described in Section 26B-1-436.

Section 2. Section **26B-1-436** is enacted to read:

26B-1-436 . Life-saving programs coalition and plan.

(1) As used in this section:

(a) "Comprehensive plan" means a comprehensive plan described in Subsection (3).

(b) "Director" means an executive director, director, commissioner, general manager, or other similar position who has ultimate responsibility for the operation of a state entity.

(c) "State publication channel" means a website or publication of a state entity that:

(i) the public accesses, uses, or interacts with in significant volume; and

(ii) is approved for use in connection with a comprehensive plan by the director of the state entity that controls the website or publication, or the director's designee.

(2) To maximize the opportunity to save lives in the state, the department shall convene a coalition of state-funded and state-sponsored life-saving programs.

(3) The department shall create a comprehensive plan, including best practices and principles, for utilizing state publication channels to communicate information about life-saving programs to the public.

(4) The comprehensive plan may include a schedule coordinating when each life-saving program is promoted through state publication channels, which may also coordinate with promotional periods or commemorative periods declared by the governor, and may address the allocation of costs.

Section 3. Section **26B-2-244** is enacted to read:

26B-2-244 . Organ donation.

(1) As used in this section:

(a) "Donor" means the same as that term is defined in Section 26B-8-301.

(b) "Donor registry" means the same as that term is defined in Section 26B-8-301.

(c) "Intake" means the initial process by which a health care facility collects demographic, social, clinical, or other similar data from a patient.

(2) A health care facility licensed under this part shall, as part of intake or as soon as reasonably possible after intake:

(a) ask if the patient is a donor;

(b) if the patient is not a donor, ask if the patient would like to become a donor; and

(c) if the patient wishes to become a donor, provide information about how to access a donor registry established under Section 26B-8-319.

Section 4. Section **53B-1-111** is amended to read:

53B-1-111 . Organ donation notification.

(1) As used in this section:

(a) "Donor" means the same as that term is defined in Section ~~[26B-4-137]~~ 26B-8-301.

(b) "Donor registry" means the same as that term is defined in Section ~~[26B-4-137]~~ 26B-8-301.

(c) "Institution of higher education" means an institution as described in Section 53B-3-102.

(2)(a) An institution of higher education shall distribute, twice each academic year to each enrolled student:

(i) an electronic message notifying each student of the option to register as a donor by selecting the Internet link described in Subsection (2)(a)(ii); and

(ii) through the electronic message described in Subsection (2)(a)(i) an Internet link to a website for a donor registry established under Section 26B-8-319.

(b) An institution of higher education may also provide to students information on donor registry by other electronic, printed, or in-person means.

Section 5. Section **59-10-103.1** is amended to read:

59-10-103.1 . Information to be contained on individual income tax returns or booklets.

(1) The commission shall print the phrase "all state income tax dollars support education, children, and individuals with disabilities" on:

(a) the first page of an individual income tax return; and

(b) the cover page of an individual income tax forms and instructions booklet.

(2) The commission shall include on an individual income tax return a statement for a property owner to declare that the property owner no longer qualifies to receive a residential exemption authorized under Section 59-2-103 for that property owner's primary residence.

(3)(a) The commission shall include in each instruction booklet information about the option to register as a donor, as that term is defined in Section 26B-8-301, and instructions for accessing a donor registry established under Section 26B-8-319.

(b) The commission shall include on the commission's website information about the option to register as a donor, as that term is defined in Section 26B-8-301, and a link to a website for a donor registry established under Section 26B-8-319.

(c) The requirements in Subsections (3)(a) and (b) do not apply if the commission provides information in each instruction booklet and on the commission's website in connection with a comprehensive plan described in Section 26B-1-436.

Section 6. **Effective Date.**

This bill takes effect on May 7, 2025.