

House Bill 927

By: Representatives Bohannon of the 139th, Brown of the 130th, West of the 101st and Powell of the 23rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-6 of the Official Code of Georgia Annotated, relating to forms
2 for making of anatomical gifts upon issuance or renewal of driver's license, so as to provide
3 applicants for issuance or renewal of driver's licenses a choice of whether to limit their
4 anatomical gifts to for profit or not for profit entities; to amend Code Section 44-5-145 of the
5 Official Code of Georgia Annotated, relating to gifts made by will, donor card, or other
6 instrument, so as to provide that donors may limit their anatomical gifts to for profit or not
7 for profit entities; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Code Section 40-5-6 of the Official Code of Georgia Annotated, relating to forms for making
12 of anatomical gifts upon issuance or renewal of driver's license, is amended by striking the
13 Code section in its entirety and inserting in lieu thereof a new Code Section 40-5-6 to read
14 as follows:

15 "40-5-6.

16 (a) Whenever any person applies for or requests the issuance, reissuance, or renewal of any
17 class of driver's license, the department shall furnish that person with a form, sufficient
18 under Article 6 of Chapter 5 of Title 44, the 'Georgia Anatomical Gift Act,' for the gift of
19 all or part of the donor's body conditioned upon the donor's death. The form shall also
20 permit the person to limit such anatomical gift to for profit or not for profit entities. If any
21 such person, legally authorized to execute such a gift, desires to execute a gift, the
22 department shall provide that person with appropriate assistance and the presence of the
23 legally required number of witnesses.

24 (b) A notation shall be affixed to or made a part of every driver's license issued in this
25 state indicating whether or not the licensee has executed, under Article 6 of Chapter 5 of
26 Title 44, the 'Georgia Anatomical Gift Act,' a gift, by will or otherwise, of all or part of his

1 body conditioned upon the donor's death and whether such person has limited such
2 anatomical gift to for profit or not for profit entities."

3 **SECTION 2.**

4 Code Section 44-5-145 of the Official Code of Georgia Annotated, relating to gifts made by
5 will, donor card, or other instrument, is amended by striking subsection (c) in its entirety and
6 inserting in lieu thereof a new subsection (c) to read as follows:

7 "(c) The gift may be made to a specified donee or an unspecified donee or may be limited
8 to for profit or not for profit donees. If no donee is specified, the gift may be accepted by
9 the attending physician as donee upon or following death. If the gift is made to a specified
10 donee who is not available at the time and place of death, the attending physician, upon or
11 following death, may accept the gift as donee in the absence of any expressed indication
12 that the donor desired otherwise. The physician who becomes a donee under this subsection
13 shall not participate in the procedures for removing or transplanting a part."

14 **SECTION 3.**

15 All laws and parts of laws in conflict with this Act are repealed.