

1 A bill to be entitled
 2 An act relating to organ donation; creating s.
 3 110.1185, F.S.; providing administrative leave for
 4 certain employees; amending s. 322.291, F.S.;
 5 requiring information on organ donation be included in
 6 specified education programs; authorizing rulemaking;
 7 s. 379.352, F.S.; requiring locations at which certain
 8 recreational licenses or permits are sold to display
 9 and make available to the public educational materials
 10 relating to organ donation and registration; requiring
 11 that a link to the statewide donor registry be
 12 provided to persons applying for certain recreational
 13 licenses or permits; amending s. 627.6045, F.S.;
 14 prohibiting a health insurance policy from limiting or
 15 excluding coverage solely on the basis that an insured
 16 is a living organ donor; amending s. 765.5155, F.S.;
 17 requiring coordination between specified parties to
 18 ensure the availability of certain continuing
 19 education topics; amending s. 765.521, F.S.; revising
 20 the requirements for certain programs encouraging
 21 anatomical gifts to include the process of issuing and
 22 renewing recreational licenses and permits; providing
 23 an effective date.

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 25 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 110.1185, Florida Statutes, is created to read:

110.1185 Administrative leave for organ donation.—An employee of the state or political subdivision thereof shall be granted administrative leave for organ donation.

Section 2. Section 322.291, Florida Statutes, is amended to read:

322.291 Driver improvement schools or DUI programs; required in certain suspension and revocation cases.—

(1) Except as provided in s. 322.03(2), any person:

(a)~~(1)~~ Whose driving privilege has been revoked:

1.~~(a)~~ Upon conviction for:

a.1. Driving, or being in actual physical control of, any vehicle while under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, in violation of s. 316.193;

b.2. Driving with an unlawful blood- or breath-alcohol level;

c.3. Manslaughter resulting from the operation of a motor vehicle;

d.4. Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle crash resulting in the death or personal injury of another;

e.5. Reckless driving; or

51 ~~2.(b)~~ As a habitual offender;

52 ~~3.(e)~~ Upon direction of the court, if the court feels that

53 the seriousness of the offense and the circumstances surrounding

54 the conviction warrant the revocation of the licensee's driving

55 privilege; or

56 (b)-(2) Whose license was suspended under the point system,

57 was suspended for driving with an unlawful blood-alcohol level

58 of 0.10 percent or higher before January 1, 1994, was suspended

59 for driving with an unlawful blood-alcohol level of 0.08 percent

60 or higher after December 31, 1993, was suspended for a violation

61 of s. 316.193(1), or was suspended for refusing to submit to a

62 lawful breath, blood, or urine test as provided in s. 322.2615

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64 shall, before the driving privilege may be reinstated, present

65 to the department proof of enrollment in a department-approved

66 advanced driver improvement course operating pursuant to s.

67 318.1451 or a substance abuse education course conducted by a

68 DUI program licensed pursuant to s. 322.292, which shall include

69 a psychosocial evaluation and treatment, if referred.

70 Additionally, for a third or subsequent violation of

71 requirements for installation of an ignition interlock device, a

72 person must complete treatment as determined by a licensed

73 treatment agency following a referral by a DUI program and have

74 the duration of the ignition interlock device requirement

75 extended by at least 1 month up to the time period required to

76 complete treatment. If the person fails to complete such course
 77 or evaluation within 90 days after reinstatement, or
 78 subsequently fails to complete treatment, if referred, the DUI
 79 program shall notify the department of the failure. Upon receipt
 80 of the notice, the department shall cancel the offender's
 81 driving privilege, notwithstanding the expiration of the
 82 suspension or revocation of the driving privilege. The
 83 department may temporarily reinstate the driving privilege upon
 84 verification from the DUI program that the offender has
 85 completed the education course and evaluation requirement and
 86 has reentered and is currently participating in treatment. If
 87 the DUI program notifies the department of the second failure to
 88 complete treatment, the department shall reinstate the driving
 89 privilege only after notice of completion of treatment from the
 90 DUI program.

91 (2) Classes required under this section must include
 92 information on organ donation. The department may adopt rules to
 93 administer this subsection.

94 Section 3. Subsections (13) and (14) of section 379.352,
 95 Florida Statutes, are renumbered as subsections (14) and (15),
 96 respectively, and a new subsection (13) is added to that
 97 section, to read:

98 379.352 Recreational licenses, permits, and authorization
 99 numbers to take wild animal life, freshwater aquatic life, and
 100 marine life; issuance; costs; reporting.—

101 (13) At each location at which hunting, fishing, or
102 trapping licenses or permits are sold, educational materials
103 regarding organ donation and registration shall be displayed and
104 made available to the public. Each person who applies for a
105 hunting, fishing, or trapping license or permit on the Internet
106 shall be provided a link to the statewide donor registry
107 operated under s. 765.5155.

108 Section 4. Subsections (3) and (4) of section 627.6045,
109 Florida Statutes, are renumbered as subsections (4) and (5),
110 respectively, and a new subsection (3) is added to that section,
111 to read:

112 627.6045 Preexisting condition.—A health insurance policy
113 must comply with the following:

114 (3) A preexisting condition provision may not limit or
115 exclude coverage solely on the basis that an insured is a living
116 organ donor.

117 Section 5. Paragraph (b) of subsection (3) of section
118 765.5155, Florida Statutes, is amended to read:

119 765.5155 Donor registry; education program.—

120 (3) The contractor shall be responsible for:

121 (b) A continuing program to educate and inform medical
122 professionals, law enforcement agencies and officers, other
123 state and local government employees, high school students,
124 minorities, and the public about the laws of this state relating
125 to anatomical gifts and the need for anatomical gifts.

126 1. Existing community resources, when available, must be
 127 used to support the program and volunteers may assist the
 128 program to the maximum extent possible.

129 2. The contractor shall coordinate with the head of a
 130 state agency or other political subdivision of the state, or his
 131 or her designee, to establish convenient times, dates, and
 132 locations for educating that entity's employees.

133 3. The contractor shall coordinate with the Department of
 134 Health to ensure that continuing education topics on organ
 135 donation are available to medical professionals.

136 Section 6. Section 765.521, Florida Statutes, is amended
 137 to read:

138 765.521 Donations as part of driver license, ~~or~~
 139 identification card, or recreational license and permit
 140 process.-

141 (1) The agency and the department shall develop and
 142 implement a program encouraging and allowing persons to make
 143 anatomical gifts as a part of the process of issuing
 144 identification cards, ~~and~~ issuing and renewing driver licenses,
 145 and issuing and renewing recreational licenses and permits. The
 146 donor registration card distributed by the department shall
 147 include the information required by the uniform donor card under
 148 s. 765.514 and such additional information as determined
 149 necessary by the department. The department shall also develop
 150 and implement a program to identify donors which includes

151 notations on identification cards, driver licenses, ~~and~~ driver
 152 records, and recreational licenses or permits or such other
 153 methods as the department develops to clearly indicate the
 154 individual's intent to make an anatomical gift. A notation on an
 155 individual's driver license, ~~or~~ identification card, or
 156 recreational license or permit that the individual intends to
 157 make an anatomical gift satisfies all requirements for consent
 158 to organ or tissue donation. The agency shall provide the
 159 necessary supplies and forms from funds appropriated from
 160 general revenue or contributions from interested voluntary,
 161 nonprofit organizations. The department shall provide the
 162 necessary recordkeeping system from funds appropriated from
 163 general revenue. The department and the agency shall incur no
 164 liability in connection with the performance of any acts
 165 authorized herein.

166 (2) The department shall maintain an integrated link on
 167 its website which refers ~~referring~~ a visitor renewing a driver
 168 license or recreational license or permit or conducting other
 169 business to the donor registry operated under s. 765.5155.

170 (3) The department, after consultation with and
 171 concurrence by the agency, shall adopt rules to implement ~~the~~
 172 ~~provisions of~~ this section in accordance with ~~according to the~~
 173 ~~provisions of~~ chapter 120.

174 (4) The agency may not use funds appropriated for patient
 175 care ~~Funds expended by the agency~~ to carry out the intent of

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176 | this section ~~may not be taken from funds appropriated for~~
177 | ~~patient care.~~

178 | Section 7. This act shall take effect July 1, 2024.