

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1082

FINAL READING

Introduced by Gragert, 40.

Read first time January 18, 2022

Committee: Natural Resources

1 A BILL FOR AN ACT relating to organ and tissue donation; to amend section
2 71-4822, Reissue Revised Statutes of Nebraska, and section 37-201,
3 Revised Statutes Supplement, 2021; to provide powers and duties to
4 the Game and Parks Commission; to require the Game and Parks
5 Commission to provide certain information relating to organ and
6 tissue donation on applications for certain hunting and fishing
7 permits; to require the Game and Parks Commission to transfer
8 certain hunting and fishing permit information relating to organ and
9 tissue donation; to harmonize provisions; and to repeal the original
10 sections.
11 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 37-201, Revised Statutes Supplement, 2021, is
2 amended to read:

3 37-201 Sections 37-201 to 37-811 and 37-1501 to 37-1510 and section
4 2 of this act and the State Park System Construction Alternatives Act
5 shall be known and may be cited as the Game Law.

6 Sec. 2. (1) Beginning January 1, 2023, when a Nebraska resident at
7 least sixteen years of age applies for an annual hunting permit or annual
8 fishing permit, the commission shall distribute a brochure provided by an
9 organ and tissue procurement organization approved by the Department of
10 Health and Human Services containing a description and explanation of the
11 Revised Uniform Anatomical Gift Act to each person applying for a permit
12 who has not previously provided a response under subsection (2) of this
13 section. If the application for a permit is made through the Internet, a
14 link to an electronic copy of the brochure shall be provided.

15 (2) The application for an annual hunting permit or annual fishing
16 permit shall contain the following question: Do you wish to include your
17 name in the Donor Registry of Nebraska and donate your organs and tissues
18 at the time of your death? The commission shall record such response in
19 an electronic database if the permit applicant is at least sixteen years
20 of age and indicates on the application whether he or she wishes to be an
21 organ and tissue donor. Submitting an application indicating that the
22 permit applicant wishes to be a donor shall constitute an authorization
23 under subsection (b) of section 71-4828.

24 (3) A person may change his or her status as a donor by (a) Internet
25 access to the Donor Registry of Nebraska, (b) telephone request to the
26 registry, or (c) other methods approved by the federally designated organ
27 procurement organization for Nebraska. The commission shall provide
28 information on its website on how a person may change such person's donor
29 status.

30 (4) The commission shall electronically transfer to the federally
31 designated organ procurement organization for Nebraska the first and last

1 name, date of birth, gender, address, city, state, zip code, email
2 address if provided, date of registration, and the unique user
3 identification number of each person who agreed to make an anatomical
4 gift under subsection (2) of this section.

5 (5) An anatomical gift made through the process described in
6 subsection (2) of this section shall be considered made at the time the
7 application is submitted regardless of when the information described in
8 subsection (4) of this section is transferred.

9 (6) No person shall obtain information about an applicant's response
10 as described in subsection (2) of this section except to facilitate the
11 donation process. General statistical information may be provided upon
12 request to the federally designated organ procurement organization for
13 Nebraska.

14 (7) The commission may adopt and promulgate rules and regulations
15 necessary to carry out the provisions of this section.

16 Sec. 3. Section 71-4822, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 71-4822 (1) The federally designated organ procurement organization
19 for Nebraska shall use the information received from the Department of
20 Motor Vehicles under section 60-494 and the Game and Parks Commission
21 under section 2 of this act to establish and maintain the Donor Registry
22 of Nebraska. A procurement organization located outside of Nebraska may
23 obtain information from the Donor Registry of Nebraska when a Nebraska
24 resident is listed as a donor on the registry and is not located in
25 Nebraska immediately preceding or at the time of his or her death. The
26 federally designated organ procurement organization for Nebraska may
27 receive donor information from sources other than the Department of Motor
28 Vehicles and shall pay all costs associated with creating and maintaining
29 the Donor Registry of Nebraska.

30 (2) It is the intent of the Legislature that the Donor Registry of
31 Nebraska facilitate organ and tissue donations and not inhibit such

1 donations. A person does not need to be listed on the Donor Registry of
2 Nebraska to be an organ and tissue donor.

3 (3) No person shall obtain information from the Donor Registry of
4 Nebraska for the purpose of fundraising or other commercial use.
5 Information obtained from the Donor Registry of Nebraska may only be used
6 to facilitate the donation process at the time of the donor's death.
7 General statistical information may be provided upon request to the
8 federally designated organ procurement organization for Nebraska.

9 Sec. 4. Original section 71-4822, Reissue Revised Statutes of
10 Nebraska, and section 37-201, Revised Statutes Supplement, 2021, are
11 repealed.