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SFA**BILL ANALYSIS**

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Senate Bill 458 (as introduced 4-24-97)
Sponsor: Senator John J.H. Schwarz, M.D.
Committee: Health Policy and Senior Citizens

Date Completed: 11-3-97

CONTENT

The bill would amend the Michigan Vehicle Code to require an application for an operator's or chauffeur's license, beginning with the next printing of applications after the Code was amended, to include a space in which an applicant could indicate his or her wish to be an organ donor, or to make a voluntary donation for the promotion of organ transplant donations. Further, the bill would require that voluntary monetary donations be deposited in a separate account to be forwarded to the National Kidney Foundation; and allow organ donor declarations to be forwarded to the Transplantation Society of Michigan.

The bill would require the Secretary of State to make available to an applicant a brochure describing the organ transplant program supported by the National Kidney Foundation and the Transplantation Society of Michigan. If the applicant desired to make a monetary donation, he or she could make it by designating the amount on the line provided for that purpose and paying that amount to the Secretary of State. After deducting any administrative expenses incurred, the Secretary of State would have to deposit the money from voluntary donations received and collected in a separate account in the General Fund. Money in the account would have to be forwarded to the National Kidney Foundation. The National Kidney Foundation would have to retain donations received in a separate account, could not commingle the money with any other funds of the organization, and would have to use the donations for the purpose of public education on organ and tissue donations. The National Kidney Foundation would have to report annually to the Department of Treasury about the use of funds received.

An applicant also could declare a desire to be an organ donor by checking off a line in the application that would permit the Secretary of State to forward the information to the Transplantation Society of Michigan to be entered into the organ donor registry maintained by the Society.

If an applicant did not make a notation on the application indicating that he or she wished to make a donation or be an organ donor, the Secretary of State would have to presume that the applicant did not wish to make a donation or be an organ donor, and could not make any further inquiry. Application information about an applicant's donation or donor status under the bill would be exempt from disclosure pursuant to the Freedom of Information Act.

MCL 257.307

Legislative Analyst: G. Towne

FISCAL IMPACT

Sections 818(1) and (2) of Public Act 111 of 1997 (General Government Appropriations Act for fiscal year 1997-98) state that \$40,000 shall be used for producing a pamphlet to be distributed with

driver's licenses and personal identification cards regarding organ donations. The funds must be used to update and print a pamphlet that will explain the organ donation program and encourage people to become donors by marking a checkoff on driver's license and personal identification card applications. Further, \$64,000 is earmarked for return postage costs for reply forms addressed to the Gift of Life Organization. In total \$104,000 is appropriated to implement these provisions.

Fiscal Analyst: E. Limbs

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.