

ANATOMICAL GIFTS

Senate Bill 712 (Substitute H-1)
Sponsor: Sen. Hansen Clarke

Senate Bill 713 (Substitute H-1)
Sponsor: Sen. Jason E. Allen

Senate Bill 714 (Substitute H-1)
Sponsor: Sen. Roger Kahn, M.D.

House Committee: Health Policy
Senate Committee: Health Policy

Complete to 2-29-08

A SUMMARY OF SENATE BILLS 712-714 AS REPORTED FROM HOUSE COMMITTEE

Senate Bills 712 and 714 are technical in nature, amending various acts to adopt changes to language and citations that would make various acts conform to proposed revisions made to the Uniform Anatomical Gift Law by House Bill 4940. The bills would also make editorial changes for clarity and delete obsolete provisions. Senate Bill 713 would place the maximum term of imprisonment for violations of House Bill 4940 within sentencing guidelines. All three bills are tie-barred to House Bill 4940, which would adopt the Revised Uniform Anatomical Gift Law in place of the current act.

(For information about the proposed Revised Uniform Anatomical Gift Law, including the House Fiscal Agency's legislative analysis of House Bill 4940, type in the bill number on the Michigan Legislature website: www.legislature.mi.gov.)

Senate Bill 712 would amend the Michigan Vehicle Code (MCL 257.307 and 257.310) and is identical to House Bill 4942.

Senate Bill 714 would amend Public Act 181 of 1953 (MCL 52.209), which prescribes the duties of medical examiners. The bill is nearly identical to House Bill 4944. (House Bill 4944 would rename that provision of law as the Kyle Ray Horning Law. Kyle was an infant who recently passed away, but, due to the gift of his tissues and organs by his parents after his death, saved the lives of several individuals.)

Senate Bill 713 would amend the Code of Criminal Procedure (MCL 777.13n) to specify that purchasing or selling a body part of a deceased individual for transplantation or therapy or falsifying, concealing, or defacing a document of an anatomical gift for financial gain would be a Class E felony against the public order with a five-year maximum term of imprisonment. The bill is identical to House Bill 4943.

FISCAL IMPACT:

Senate Bill 712 has no fiscal impact on the Department of State.

Senate Bill 714 has no fiscal implications for the Department of Community Health.

POSITIONS:

The following agencies and organizations indicated support for the bills on 2-28-08:

Department of Community Health
Michigan Osteopathic Association
Gift of Life Michigan House of Representatives
Michigan Health & Hospital Association
Michigan State Medical Society

Legislative Analyst: Susan Stutzky
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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.