

CHAPTER 175

MOTOR VEHICLES AND TRAFFIC REGULATION

SENATE BILL 00-054

BY SENATORS Pascoe, Andrews, Wham, Arnold, Blickensderfer, Chlouber, Congrove, Dennis, Dyer, Epps, Evans, Feeley, Hernandez, Lamborn, Linkhart, Martinez, Nichol, Perlmutter, Phillips, Powers, Reeves, Rupert, Sullivant, Tanner, Teck, Thiebaut, Wattenberg, and Weddig;

also REPRESENTATIVES Lawrence, Kester, Mitchell, Scott, Witwer, Bacon, Clarke, Fairbank, Gagliardi, Gordon, Gotlieb, Johnson, Kaufman, Leyba, Mace, Morrison, Plant, Saliman, Swenson, Taylor, Tupa, Vigil, and Zimmerman.

AN ACT

CONCERNING THE CREATION OF A REGISTRY OF NAMES OF COLORADANS WHO VOLUNTEER TO MAKE ANATOMICAL GIFTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-34-101.5, Colorado Revised Statutes, is amended to read:

12-34-101.5. Legislative declaration. (1) The general assembly hereby finds and declares that the use of anatomical gifts, including the donation of organs or tissue, for the purpose of transplantation is of great interest to the well-being of the citizens of this state and may save or prolong the life or improve the health of extremely ill and dying persons. The general assembly therefore finds that it is in the best interests of the state to encourage such donations for transplants and to encourage the use of the authorization for anatomical gifts required to be printed on ~~the back of~~ drivers' licenses and identification cards indicating that the signer has consented to the donation of organs or tissue. The general assembly further finds that it is beneficial to the state for employers to encourage ~~such~~ LIVING donations by allowing employees time off for the purpose of making such donations and, to that end, that it is necessary to direct that the state personnel director, consistent with section 24-50-104 (7) (b), C.R.S., adopt a procedure that provides for two days per year of paid leave for employees in the state personnel system for the purpose of donating organs, tissue, or bone marrow for a transplant.

(2) THE GENERAL ASSEMBLY HEREBY FINDS THAT, ALTHOUGH THE NUMBER OF DONORS OF ANATOMICAL GIFTS WITHIN THE UNITED STATES HAS INCREASED FROM FIVE THOUSAND FOUR HUNDRED SEVENTY-NINE DONORS IN 1997 TO FIVE THOUSAND

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SEVEN HUNDRED EIGHTY-EIGHT DONORS IN 1998, THE NUMBER OF INDIVIDUALS ON THE ORGAN TRANSPLANT WAITING LIST REMAINS HIGH. IT IS ESTIMATED THAT SIXTY-EIGHT THOUSAND INDIVIDUALS ARE WAITING FOR AN ORGAN TRANSPLANT, OVER ONE THOUSAND OF WHOM ARE COLORADANS. THE GENERAL ASSEMBLY FURTHER FINDS THAT EVERY SIXTEEN MINUTES ANOTHER NAME IS ADDED TO THE LIST OF AMERICANS WAITING TO RECEIVE A LIFE SAVING ORGAN TRANSPLANT. THE DECISION TO SHARE ORGANS AND TISSUE UPON DEATH IS DIFFICULT, AND THOSE MEMBERS OF OUR COMMUNITY WHO AGREE TO DONATE AND THEIR FAMILIES ARE HEROES. THE COMMUNITY IS GRATEFUL TO THOSE COLORADANS AND THEIR FAMILIES WHO VOLUNTEER TO BECOME ORGAN AND TISSUE DONORS UPON DEATH. A DONOR MAY IMPROVE THE QUALITY OF LIFE FOR MORE THAN FIFTY OTHERS WHO SUFFER FROM ORGAN FAILURE, BONE DEFECTS, BURNS, OR BLINDNESS.

(3) THE GENERAL ASSEMBLY DETERMINES THAT THE CREATION OF A CENTRAL REGISTRY OF DONORS OF ORGANS AND TISSUE IS CRUCIAL TO FACILITATE TIMELY AND SUCCESSFUL ORGAN AND TISSUE PROCUREMENT. THE GENERAL ASSEMBLY ALSO FINDS THAT CONTINUING EDUCATION AS TO THE EXISTENCE OF A REGISTRY AND MAINTENANCE OF IT ARE IN THE BEST INTERESTS OF THE PEOPLE OF COLORADO.

SECTION 2. Part 1 of article 34 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-34-110. Registry - creation and operation. (1) THE DEPARTMENT OF REVENUE SHALL ELECTRONICALLY TRANSFER TO THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY ALL INFORMATION THAT APPEARS ON THE FRONT OF THE DRIVER'S LICENSE OR IDENTIFICATION CARD INCLUDING, BUT NOT LIMITED TO, THE NAME, GENDER, DATE OF BIRTH, AND MOST RECENT ADDRESS, OF ANY PERSON WHO OBTAINS A DRIVER'S LICENSE OR IDENTIFICATION CARD WHO VOLUNTEERS TO DONATE ORGANS OR TISSUE UPON DEATH. MONEYS FROM THE ORGAN AND TISSUE DONATION AWARENESS FUND CREATED IN SECTION 42-2-107, C.R.S., SHALL BE TRANSFERRED TO THE DEPARTMENT OF REVENUE FOR THE REASONABLE COSTS ASSOCIATED WITH THE INITIAL INSTALLATION AND SETUP FOR ELECTRONIC TRANSFER OF THE DONOR INFORMATION. ALL SUBSEQUENT ELECTRONIC TRANSFERS OF DONOR INFORMATION SHALL BE AT NO CHARGE TO THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY. INFORMATION OBTAINED BY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY SHALL BE USED FOR THE PURPOSE OF ESTABLISHING A STATEWIDE ORGAN AND TISSUE DONOR REGISTRY ACCESSIBLE TO IN-STATE RECOGNIZED CADAVERIC ORGAN AND CADAVERIC TISSUE AGENCIES FOR THE RECOVERY OR PLACEMENT OF ORGANS AND TISSUE AND TO PROCUREMENT AGENCIES IN ANOTHER STATE WHEN A COLORADO RESIDENT IS A DONOR OF AN ANATOMICAL GIFT AND IS NOT LOCATED IN COLORADO AT THE TIME OF DEATH OR IMMEDIATELY BEFORE THE DEATH OF THE DONOR. NO ORGAN OR TISSUE DONATION ORGANIZATION MAY OBTAIN INFORMATION FROM THE ORGAN AND TISSUE DONOR REGISTRY FOR THE PURPOSES OF FUND-RAISING. ORGAN AND TISSUE DONOR REGISTRY INFORMATION SHALL NOT BE FURTHER DISSEMINATED UNLESS AUTHORIZED IN THIS PART 1 OR BY FEDERAL LAW. DISSEMINATION OF ORGAN AND TISSUE DONOR REGISTRY INFORMATION MAY BE MADE BY THE ORGAN PROCUREMENT AGENCY TO A RECOGNIZED IN-STATE PROCUREMENT AGENCY FOR OTHER TISSUE RECOVERY, OR AN OUT-OF-STATE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY.

(2) THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY MAY ACQUIRE

DONOR INFORMATION FROM SOURCES OTHER THAN THE DEPARTMENT OF REVENUE.

(3) ALL COSTS ASSOCIATED WITH THE CREATION AND MAINTENANCE OF THE ORGAN AND TISSUE DONOR REGISTRY SHALL BE PAID BY THE PROCUREMENT AGENCY.

(4) AN INDIVIDUAL DOES NOT NEED TO PARTICIPATE IN THE ORGAN AND TISSUE DONOR REGISTRY TO BE A DONOR OF ORGANS OR TISSUE. THE REGISTRY IS TO FACILITATE ORGAN AND TISSUE DONATIONS AND NOT INHIBIT COLORADANS FROM BEING DONORS UPON DEATH.

SECTION 3. 12-34-103 (1), Colorado Revised Statutes, is amended to read:

12-34-103. Persons who may execute an anatomical gift. (1) Any individual of sound mind and eighteen years of age or more may give all or any part of ~~his~~ THE INDIVIDUAL'S body, the gift to take effect upon death, for any purpose specified in section 12-34-104. ANY INDIVIDUAL UNDER EIGHTEEN YEARS OF AGE MAY GIVE ALL OR ANY PART OF THE INDIVIDUAL'S BODY, THE GIFT TO TAKE EFFECT UPON DEATH, FOR ANY PURPOSE IN SECTION 12-34-104, WITH THE CONSENT OF THE INDIVIDUAL'S PARENT, PARENTS, OR LEGAL GUARDIAN. IF THE INDIVIDUAL IS AN EMANCIPATED MINOR, THE CONSENT OF THE INDIVIDUAL'S PARENT, PARENTS, OR LEGAL GUARDIAN IS NOT NECESSARY TO MAKE THE GIFT VALID.

SECTION 4. 12-34-107 (2), (4), and (5), Colorado Revised Statutes, are amended to read:

12-34-107. Amendment or revocation of the gift. (2) Any document of gift which has not been delivered to the donee may be revoked by the donor in the manner set out in subsection (1) of this section or by destruction, cancellation, or mutilation of the document and all executed copies thereof. THE DONOR SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF THE DESTRUCTION, CANCELLATION, OR MUTILATION OF THE DOCUMENT FOR THE PURPOSE OF REMOVING THE PERSON'S NAME FROM THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110.

(4) The donor of an anatomical gift made pursuant to section 12-34-105 (5) (a) may revoke the gift by crossing off his OR HER signature on the card AND NOTIFYING THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF THE REVOCATION OF THE GIFT SO THAT THE PERSON'S NAME SHALL BE REMOVED FROM THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110.

(5) A person, after being issued a driver's license or identification card, may at a later date become an anatomical donor by signing such person's name on the back of the license or identification card. SUCH PERSON SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF THE DESIRE TO BECOME AN ANATOMICAL DONOR FOR THE PURPOSE OF ADDING THE PERSON'S NAME TO THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110.

SECTION 5. 12-34-105 (1) (c), (1) (d), (2), and (5) (b), Colorado Revised Statutes, are amended to read:

12-34-105. Manner of executing anatomical gifts. (1) A gift of all or part of a

human body under section 12-34-103 (1) may be made by any of the following:

(c) By document other than a will, ~~or~~ license, OR IDENTIFICATION CARD. The gift becomes effective upon the death of the donor. The document, which may be a card designed to be carried on the person, shall be signed by the donor. If the donor cannot sign, the document may be signed for the donor at the donor's direction and in the donor's presence. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid. THE DONOR OR THE DONOR'S AGENT SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF THE DONOR'S GIFT FOR THE PURPOSE OF ADDING THE DONOR'S NAME TO THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110.

(d) By driver's license or identification card. The driver's license or identification card signed upon issuance of the document and a "Y" in the donor field on the front of the driver's license or identification card indicates that the gift becomes effective upon the death of the donor. THE DEPARTMENT OF REVENUE SHALL ELECTRONICALLY TRANSFER THE INFORMATION OF ALL PERSONS WHO UPON APPLICATION FOR A LICENSE OR IDENTIFICATION CARD VOLUNTEER TO DONATE ORGANS OR TISSUE TO THE REGISTRY CREATED IN SECTION 12-34-110, AND ANY SUBSEQUENT CHANGES TO THE APPLICANT'S DONOR STATUS.

(2) The gift of all or part of a human body may be made either to a specified donee or without specifying a donee. If the latter, the gift may be accepted by the attending physician as donee upon or following death if ~~he~~ THE PHYSICIAN is not the physician determining the time and probable cause of death pursuant to section 12-34-108 (2). If the gift is made to a specified donee who is not available at the time and place of death, the attending physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee. The physician who becomes a donee under this subsection (2) shall not participate in the procedures for removing or transplanting a part. THE PHYSICIAN WHO BECOMES A DONEE SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF THE DONOR'S NAME, WHEN PRACTICABLE, FOR PURPOSES OF INCLUDING THE DONOR IN THE ORGAN AND TISSUE DONOR REGISTRY.

~~(5) (b) A gift made by a card as provided in this subsection (5) shall be deemed revoked on the expiration date of the license to which it is attached. The gift shall also be deemed revoked at any time the license is revoked or suspended.~~

SECTION 6. 13-22-103, Colorado Revised Statutes, is amended to read:

13-22-103. Minors - consent for medical, dental, and related care. (1) Except as otherwise provided in sections 16-11-311 (4.5), 18-6-101, ~~and~~ 25-4-402, AND 12-34-103 (1), C.R.S., a minor eighteen years of age or older, or a minor fifteen years of age or older who is living separate and apart from his OR HER parent, parents, or legal guardian, with or without the consent of his OR HER parent, parents, or legal guardian, and is managing his OR HER own financial affairs, regardless of the source of his OR HER income, or any minor who has contracted a lawful marriage may give consent to ORGAN OR TISSUE DONATION OR the furnishing of hospital, medical, dental, emergency health, and surgical care to himself OR HERSELF. Such consent shall not be subject to disaffirmance because of minority, and, when such consent is given, said minor shall have the same rights, powers, and obligations as if he OR SHE had

obtained majority. CONSENT TO ORGAN OR TISSUE DONATION MAY BE REVOKED PURSUANT TO SECTION 12-34-107, C.R.S.

(2) The consent of the parent, parents, or legal guardian of a minor described in subsection (1) of this section shall not be necessary in order to authorize ORGAN OR TISSUE DONATION OR hospital, medical, dental, emergency health, or surgical care, and no hospital, physician, surgeon, dentist, trained emergency health care provider, or agent or employee thereof who, in good faith, relies on such a minor's consent shall be liable for civil damages for failure to secure the consent of such a minor's parent, parents, or legal guardian prior to rendering such care. The parent, parents, or legal guardian of a minor described in subsection (1) of this section shall not be liable to pay the charges for the care provided the minor on said minor's consent, unless said parent, parents, or legal guardian agrees to be so liable.

(3) In addition to the authority granted in section 25-4-1704 (2.5), C.R.S., any parent, including a parent who is a minor, may request and consent to ORGAN OR TISSUE DONATION OF HIS OR HER CHILD OR the furnishing of hospital, medical, dental, emergency health, and surgical care to his or her child or ward. The consent of a minor parent shall not be subject to disaffirmance because of minority, and, when such consent is given, said minor parent has the same rights, powers, and obligations as if he or she were of legal age.

SECTION 7. 13-22-104 (3), Colorado Revised Statutes, is amended to read:

13-22-104. Transplants and transfusions generally - declaration of policy - limit on liability of minors. (3) Any provision of the law to the contrary notwithstanding, any minor who has reached the age of eighteen years may give consent to the donation of his OR HER blood, ORGANS, OR TISSUE and to the penetration of tissue which is necessary to accomplish such donation. Such consent shall not be subject to disaffirmance because of minority. The consent of the parent, parents, or legal guardian of such a minor shall not be necessary in order to authorize such donation OF BLOOD, ORGANS, OR TISSUE and penetration of tissue.

SECTION 8. 42-2-107 (4) (b) (III), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUB-SUBPARAGRAPHS to read:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration - repeal. (4) (b) (III) At least quarterly, the state treasurer shall transfer all available moneys from the organ and tissue donation awareness fund:

(C) BEFORE ANY PAYMENT TO TRANSPLANT COUNCIL OF THE ROCKIES (TCOR) FROM THE ORGAN AND TISSUE DONOR AWARENESS FUND MAY BE MADE FOR ANY PURPOSE, TO THE DEPARTMENT OF REVENUE FOR THE REASONABLE COSTS ASSOCIATED WITH THE INITIAL INSTALLATION OF THE ORGAN AND TISSUE DONOR REGISTRY, THE SETUP FOR ELECTRONIC TRANSFER OF THE DONOR INFORMATION FOR THE ORGAN AND TISSUE DONOR REGISTRY TO THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY, AND COMPUTER PROGRAMMING AND FORM CHANGES NECESSARY AS A RESULT OF THE CREATION OF THE ORGAN AND TISSUE DONOR REGISTRY.

(D) TO THE TRANSPLANT COUNCIL OF THE ROCKIES (TCOR) FOR THE COSTS

ASSOCIATED WITH EDUCATING THE PUBLIC ABOUT THE ORGAN AND TISSUE DONOR REGISTRY PURSUANT TO SECTION 12-34-110, C.R.S.

SECTION 9. 42-2-107 (4) (b) (V) and (4) (b) (VII), Colorado Revised Statutes, are amended to read:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration - repeal. (4) (b) (V) An applicant may make a donation of one dollar OR MORE to the organ and tissue donation awareness fund, created in subparagraph (II) of this paragraph (b), to promote the donation of organs and tissues under the provisions of the "Uniform Anatomical Gift Act", part 1 of article 34 of title 12, C.R.S. The department shall collect such donations and transmit them to the state treasurer, who shall credit the same to the organ and tissue donation awareness fund. The donation prescribed in this subparagraph (V) is voluntary and may be refused by the applicant. The department shall make available informational booklets or other informational sources on the importance of organ and tissue donations to applicants as designed and approved by the advisory body created under sub-subparagraph (A) of subparagraph (III) of this paragraph (b). The department shall inquire of each applicant at the time the completed application is presented whether the applicant is interested in making ~~the A DONATION OF one dollar donation prescribed in this subparagraph (V)~~ OR MORE and shall also specifically inform the applicant of the option for organ and tissue donations by completing the card on the reverse side of the license as provided in section 12-34-105 (5) (a), C.R.S. THE DEPARTMENT SHALL ALSO PROVIDE WRITTEN INFORMATION DESIGNED AND APPROVED BY THE ADVISORY BODY CREATED UNDER SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF THIS PARAGRAPH (b) TO EACH APPLICANT VOLUNTEERING TO BECOME AN ORGAN AND TISSUE DONOR. THE WRITTEN INFORMATION SHALL DISCLOSE THAT THE APPLICANT'S NAME SHALL BE TRANSMITTED TO THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110, C.R.S., AND THAT THE APPLICANT SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF ANY CHANGES TO THE APPLICANT'S DONOR STATUS.

(VII) This paragraph (b) is repealed, effective July 1, ~~2004~~ 2008.

SECTION 10. 42-2-108, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-2-108. Application of minors. (1.5) (a) THE APPLICATION OF ANY PERSON UNDER THE AGE OF EIGHTEEN YEARS FOR AN INSTRUCTION PERMIT OR MINOR DRIVER'S LICENSE SHALL INCLUDE THE OPTION FOR A MINOR TO BE AN ORGAN OR TISSUE DONOR.

(b) THE DEPARTMENT SHALL PROVIDE ON SUCH PERMIT OR MINOR DRIVER'S LICENSE INFORMATION REQUIRED IN SECTION 12-34-105 (5) (a), C.R.S.

(c) ANY PERSON UNDER THE AGE OF EIGHTEEN YEARS WHO VOLUNTEERS TO DONATE ANATOMICAL GIFTS BY DESIGNATION ON AN INSTRUCTIONAL PERMIT OR MINOR DRIVER'S LICENSE SHALL INCLUDE A NOTICE OF CONSENT SIGNED AND VERIFIED BY THE FATHER OR THE MOTHER OF THE APPLICANT, OR, IN THE EVENT NEITHER PARENT IS LIVING, BY THE PERSON OR GUARDIAN HAVING PROOF OF LEGAL CUSTODY OF SUCH MINOR, OR BY THE SPOUSE OF THE APPLICANT IF THE SPOUSE OF THE

APPLICANT IS EIGHTEEN YEARS OF AGE OR OLDER.

(d) IF THE PERSON UNDER THE AGE OF EIGHTEEN YEARS WHO VOLUNTEERS TO DONATE ANATOMICAL GIFTS BY DESIGNATION ON AN INSTRUCTIONAL PERMIT OR MINOR DRIVER'S LICENSE IS AN EMANCIPATED MINOR, A NOTICE OF CONSENT IS NOT NECESSARY FOR AN ANATOMICAL GIFT TO BE VALID.

SECTION 11. 42-2-118 (1) (a) (II), Colorado Revised Statutes, is amended to read:

42-2-118. Renewal of license in person or by mail - donations to organ and tissue donation awareness fund - repeal. (1) (a) (II) (A) An applicant may make a donation of one dollar OR MORE to the organ and tissue donation awareness fund, created in section 42-2-107 (4) (b) (II), to promote the donation of organs and tissues under the provisions of the "Uniform Anatomical Gift Act", part 1 of article 34 of title 12, C.R.S. The department shall collect such donations and transmit them to the state treasurer, who shall credit the same to the organ and tissue donation awareness fund. The donation prescribed in this sub-subparagraph (A) is voluntary and may be refused by the applicant. The department shall make available informational booklets or other informational sources on the importance of organ and tissue donations to applicants as designed and approved by the advisory body created under section 42-2-107 (4) (b) (III) (A). The department shall inquire of each applicant at the time the completed application is presented whether the applicant is interested in making ~~the~~ A DONATION OF one dollar ~~donation prescribed in this sub-subparagraph (A)~~ OR MORE and shall also specifically inform the applicant of the option for organ and tissue donations by having a "Y" placed in the donor field on the front of the document. THE DEPARTMENT SHALL ALSO ADVISE EACH APPLICANT VOLUNTEERING TO BECOME AN ORGAN AND TISSUE DONOR THAT THE APPLICANT'S NAME SHALL BE TRANSMITTED TO THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110, C.R.S., AND THAT THE APPLICANT SHALL NOTIFY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY OF ANY CHANGES TO THE APPLICANT'S DONATION.

(B) This subparagraph (II) is repealed, effective July 1, ~~2004~~ 2008.

SECTION 12. 42-2-121, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

42-2-121. Records to be kept by the department - admission of records in court. (6) THE DEPARTMENT SHALL ELECTRONICALLY TRANSMIT THE NAME, ADDRESS, TELEPHONE NUMBER, DATE OF BIRTH, AND GENDER OF EACH INDIVIDUAL WHO HAS VOLUNTEERED TO DONATE ORGANS OR TISSUE UPON DEATH ON AN INSTRUCTIONAL PERMIT, A MINOR DRIVER'S LICENSE, A DRIVER'S LICENSE, AN IDENTIFICATION CARD, OR ANY OTHER LICENSE APPLICATION RECEIVED BY IT, TO THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110, C.R.S.

SECTION 13. 24-72-204 (7) (b), Colorado Revised Statutes, as amended by Senate Bill 00-011, enacted at the Second Regular Session of the Sixty-second General Assembly, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

24-72-204. Allowance or denial of inspection - grounds - procedure - appeal.

(7) (b) Notwithstanding the provisions of paragraph (a) of this subsection (7), only upon obtaining a completed requestor release form under section 42-1-206 (1) (b), C.R.S., the department may allow inspection of the information referred to in paragraph (a) of this subsection (7) for the following uses:

(XV) FOR USE BY THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY FOR THE PURPOSES OF CREATING AND MAINTAINING THE ORGAN AND TISSUE DONOR REGISTRY CREATED IN SECTION 12-34-110, C.R.S.

SECTION 14. 42-2-107 (4) (b), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

42-2-107. Application for license or instruction permit - anatomical gifts - donations to organ and tissue donation awareness fund - legislative declaration - repeal. (4) (b) (V.5) DESIGNATION ON A DONOR'S DRIVER'S LICENSE OR PERMIT SHALL FULFILL THE RELEASE REQUIREMENTS SET FORTH IN SECTION 24-72-204 (7) (b), C.R.S.

SECTION 15. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the organ and tissue donation awareness fund, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2000, the sum of thirty-four thousand forty dollars (\$34,040), or so much thereof as may be necessary, for the implementation of this act.

SECTION 16. Effective date - applicability. This act shall take effect July 1, 2000, and shall apply to all licenses issued by the department of revenue through the division of driver services, any will or last testament executed, or other documentation indicating organ or tissue donation, amendment thereto, or revocation in effect thereof on or after said date; except that sections 13 and 14 of this act shall only take effect if Senate Bill 00-011 becomes law.

SECTION 17. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 23, 2000