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Indicates New Matter

COMMITTEE REPORT

April 14, 2016

**H. 4391**

Introduced by Reps. Burns, Yow, Chumley, Felder, Loftis and Bradley

S. Printed 4/14/16--H.

Read the first time January 12, 2016.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 4391) to amend Section 44‑43‑305, as amended, Code of Laws of South Carolina, 1976, relating to terms defined in the revised Uniform Anatomical Gift Act, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill amends Section 44-43-350(F) relating to authorized recipients of donated organs. The bill allows a gift of brain tissue to be used only for research or education.

Department of Health and Environmental Control reports that this bill would have no expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 44‑43‑305, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE REVISED UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE DEFINITION OF “TISSUE” TO INCLUDE BRAIN TISSUE IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44‑43‑350, AS AMENDED, RELATING TO AUTHORIZED RECIPIENTS OF ANATOMICAL GIFTS, SO AS TO CLARIFY THAT GIFTS OF BRAIN TISSUE MAY BE USED ONLY FOR RESEARCH OR EDUCATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑43‑305(30) of the 1976 Code, as last amended by Act 4 of 2009, is further amended to read:

“(30) ‘Tissue’ means a portion of the human body other than an organ or an eye. The term does not include blood or brain tissue unless the blood or brain tissue is donated for the purpose of research or education.”

SECTION 2. Section 44‑43‑350(F) of the 1976 Code, as last amended by Act 4 of 2009, is further amended to read:

“(F) If a document of gift specifies only a general intent to make an anatomical gift by words such as ‘donor’, ‘organ donor’, or ‘body donor’, or by a symbol or statement of similar import, the gift may be used only for transplantation or therapy, and the gift passes in accordance with subsection (G). However, if the gift is of brain tissue, the gift may be used only for research or education as provided in Section 44‑43‑305(30).”

SECTION 3. This act takes effect upon approval by the Governor.

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