

State of Wisconsin



2021 Assembly Bill 578

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2021 WISCONSIN ACT 220

AN ACT *to amend* 157.06 (2) (t), 157.06 (4) (a), 157.06 (5) (c) and 157.06 (20); and *to create* 29.024 (5) (f), 29.024 (12), 157.06 (2) (br), 157.06 (2) (jm), 157.06 (5) (a) 1m. and 343.175 (1v) of the statutes; **relating to:** electing to be a donor of an anatomical gift when applying for a hunting, fishing, or trapping license.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 2. 29.024 (5) (f) of the statutes is created to read:

29.024 (5) (f) *Anatomical gift.* The form for an application for a hunting, fishing, or trapping license shall include all of the following:

1. A question as to whether the applicant wishes to include his or her name as a donor of an anatomical gift in the record of potential donors maintained by the department of transportation and, if so, a space where the applicant must provide his or her middle initial.

2. A statement that an affirmative response to the question under subd. 1. authorizes an anatomical gift under s. 157.06, but that an applicant may also comply with s. 29.024 (12).

3. A method by which the applicant may elect to receive a donor card that is separate from any license.

4. A statement that the applicant is not required to respond to the question under subd. 1. in order to obtain a license.

5. A statement that the purpose of maintaining the record of potential donors is to facilitate the determination of whether a person is a potential donor in the event of his or her death.

6. A statement that the applicant must be a resident who is at least 15 years of age or an emancipated minor to include his or her name as a donor of an anatomical gift in the record of potential donors maintained by the department of transportation.

SECTION 3. 29.024 (12) of the statutes is created to read:

29.024 (12) **DONOR INFORMATION.** (a) *Department to transmit information.* If a resident applicant answers the question regarding anatomical gifts in an application under sub. (5) (f) 1. in the affirmative, the department shall transmit to the department of transportation that authorization along with any other information about the applicant that the department of health services determines to be necessary under s. 157.06 (20).

(b) *Record of gift.* 1. If an applicant has indicated in an application under sub. (5) (f) that he or she wishes to include his or her name as a donor of an anatomical gift, the department shall include on the applicant's hunting, fishing, or trapping license, so that it is clearly visible if printed, a space for the applicant to indicate that he or she wishes to be a donor of an anatomical gift. The anatomical gift described on the printed license shall be signed by the applicant. This printed and signed document shall serve as a record of gift under s. 157.06 (2) (t).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2. A part of the reverse side of each conservation card under s. 23.47 (2) shall be printed to serve as a record of gift under s. 157.06 (2) (t), with space for the card holder to indicate that he or she wishes to be a donor of an anatomical gift. The anatomical gift described on the conservation card shall be signed by the holder of the conservation card.

3. The department shall produce a separate, pocket-sized donor card to be issued to each applicant who requests one under sub. (5) (f) 3. The document shall include a space for the applicant to fill in his or her name and indicate that he or she wishes to be a donor of an anatomical gift. The anatomical gift described on the donor card shall be signed by the applicant. This document shall serve as a record of gift under s. 157.06 (2) (t).

4. Persons authorizing gifts of their body parts remain subject to s. 157.06.

SECTION 4. 157.06 (2) (br) of the statutes is created to read:

157.06 (2) (br) "Conservation card" means a conservation card issued by the department of natural resources under s. 23.47 (2).

SECTION 5. 157.06 (2) (jm) of the statutes is created to read:

157.06 (2) (jm) "Hunting, fishing, or trapping license" means a hunting, fishing, or trapping license issued by the department of natural resources under ch. 29.

SECTION 6. 157.06 (2) (t) of the statutes is amended to read:

157.06 (2) (t) "Record of gift" means a donor card or other record used to make an anatomical gift, including a statement or symbol on a driver's license or identification card, conservation card, or printed hunting, fishing, or trapping license or in a donor registry.

SECTION 6c. 157.06 (4) (a) of the statutes is amended to read:

157.06 (4) (a) The donor, if he or she is at least 15 ~~and one-half~~ years of age or is an emancipated minor.

SECTION 7. 157.06 (5) (a) 1m. of the statutes is created to read:

157.06 (5) (a) 1m. Affixing to, or authorizing a person to imprint on, the donor's conservation card or printed hunting, fishing, or trapping license a statement or symbol that indicates that the donor has made an anatomical gift.

SECTION 8. 157.06 (5) (c) of the statutes is amended to read:

157.06 (5) (c) The revocation, suspension, expiration, or cancellation of a driver's license or identification card, or hunting, fishing, or trapping license on which an anatomical gift has been made does not invalidate the anatomical gift.

SECTION 9. 157.06 (20) of the statutes is amended to read:

157.06 (20) DONOR REGISTRY. The department of health services may establish a donor registry. If the department of health services establishes a donor registry under this subsection, the department of transportation and department of natural resources shall cooperate with the department of health services in establishing the donor registry. The department of health services shall promulgate administrative rules governing any donor registry established under this subsection.

SECTION 10. 343.175 (1v) of the statutes is created to read:

343.175 (1v) DEPARTMENT TO RECORD INFORMATION RECEIVED FROM DEPARTMENT OF NATURAL RESOURCES. The department shall record a donor authorization received under s. 29.024 (12) (a) in its file of the person. If no file exists, the department shall create a file for that person. The department shall maintain, disclose, and remove this information in the same manner required with respect to other information in its record of potential donors under this section and ss. 157.06, 343.14 (6) and (7), and 343.50 (4m).