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COMMITTEE REPORT

May 25, 2016

**H. 4391**

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

S. Printed 5/25/16--S. [SEC 5/26/16 11:37 AM]

Read the first time April 21, 2016.

**THE COMMITTEE ON MEDICAL AFFAIRS**

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 with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. There is created the Brain Tissue Donor Study Committee charged with providing a process and procedure for citizens of this State to designate that upon his or her death, the person’s brain tissue be donated for the purpose of research and education. Membership of the study committee shall be comprised of seven members as follows:

(1) one researcher from Clemson University

(2) one researcher from the University of South Carolina

(3) one researcher from the Medical University of South Carolina

(4) one representative from the SC Department of Motor Vehicles

(5) one representative from Donate Life South Carolina

(6) one representative from LifePoint, Inc.

(7) one representative from the National Alliance on Mental Illness South Carolina.

Staff from the Senate and the House of Representatives shall assist the study committee. The study committee shall provide a report to the General Assembly by December 31, 2016, at which time the study committee shall dissolve. Members of the study committee shall serve without mileage, per diem, or subsistence.

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

HARVEY S. PEELER JR. for Committee.

**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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