

1 A bill to be entitled

2 An act relating to the procurement of human organs and
3 tissue; amending s. 765.542, F.S.; prohibiting for-
4 profit entities from procuring certain human organs
5 and tissue; providing exceptions; amending s. 873.01,
6 F.S.; prohibiting for-profit entities from procuring
7 certain human organs and tissue; providing exceptions;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (4) of section 765.542, Florida
13 Statutes, is redesignated as subsection (5), and a new
14 subsection (4) is added to that section to read:

15 765.542 Requirements to engage in organ, tissue, or eye
16 procurement.—

17 (4) A for-profit eye bank may not engage, directly or
18 indirectly, in the procurement of any eye, cornea, eye tissue,
19 or corneal tissue for use in live-cell corneal transplantation.
20 This subsection does not apply to a hospital or ambulatory
21 surgical center licensed under chapter 395 or to a district
22 medical examiner appointed under chapter 406.

23 Section 2. Subsections (3) and (4) of section 873.01,
24 Florida Statutes, are redesignated as subsections (4) and (5),
25 respectively, a new subsection (3) is added to that section, and

26 subsections (1) and (2) of that section are amended, to read:

27 873.01 Purchase or sale of human organs and tissue
 28 prohibited.—

29 (1) A ~~No~~ person may not ~~shall~~ knowingly offer to purchase
 30 or sell, or purchase, sell, or otherwise transfer, any human
 31 organ or tissue for valuable consideration.

32 (2) A ~~No~~ for-profit corporation or any employee thereof
 33 may not ~~shall~~ transfer or arrange for the transfer of any human
 34 body part for valuable consideration.

35 (3) A for-profit eye bank, as defined in s. 765.511, may
 36 not engage, directly or indirectly, in the procurement, as
 37 defined in s. 765.511, of any eye, cornea, eye tissue, or
 38 corneal tissue for use in live-cell corneal transplantation.
 39 This subsection does not apply to a hospital or an ambulatory
 40 surgical center licensed under chapter 395 or to a district
 41 medical examiner appointed under chapter 406.

42 Section 3. This act shall take effect July 1, 2020.