

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

463C0561

## HOUSE BILL NO. 1136

Introduced by: Representatives Fischer-Clemens, Broderick, Cerny, Fryslie, McIntyre, Michels,  
and Solum and Senators Moore, Daugaard, Dennert, and Shoener

1 FOR AN ACT ENTITLED, An Act to revise who may be informed of a decedent's intention to  
2 make an anatomical gift.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 34-26-23.2 be amended to read as follows:

5 34-26-23.2. Any state or local law enforcement agency, officer, or personnel, that may have  
6 access to a decedent's motor vehicle operator's license, or the information thereon, shall inform,  
7 upon request, the decedent's attending physician or nurse, next of kin, the coroner, or any other  
8 person having lawful custody of the decedent's body, of any intention of the decedent, as  
9 indicated on the decedent's motor vehicle operator's license, to make an anatomical gift pursuant  
10 to § 34-26-23 or 34-26-23.1. Any state or local law enforcement agency, officer, or personnel  
11 shall also inform any procurement agency for anatomical gifts, including organs, tissues, and  
12 eyes, of such intention of the decedent.