

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of House Bill 1679

TO AMEND THE REVISED ARKANSAS ANATOMICAL GIFT ACT; TO ALLOW CERTAIN
CLASSES OF PERSONS TO REVOKE OR AMEND AN ANATOMICAL GIFT UPON THE
DEATH OF THE DONOR; AND TO REQUIRE CERTAIN REPORTING OF PROCUREMENT
ORGANIZATIONS.

Amendment No. 1 to House Bill 1679

Amend House Bill 1679 as engrossed H3/19/25 (version: 3/19/25 02:59:07 PM):

Page 1, delete lines 32 through 36, and substitute the following:

"(a) Notwithstanding any other provision of this subchapter to the contrary, a donor's prior anatomical gift may be modified, amended, or revoked before the donor's death by an agent acting pursuant to the donor's durable power of attorney for health care, unless the power of attorney for health care or other record prohibits the agent from modifying, amending, or revoking an anatomical gift.

(b) Notwithstanding any other provision of this subchapter to the contrary, following a donor's death, if the death is pronounced in a place other than a medical facility, or two (2) hours after the pronouncement of death within a medical facility, a donor's prior anatomical gift may be modified, amended, or revoked by the following:

(1) First, the spouse of the donor;

(2) Second, the sole child of the donor or, if there is more than one (1) child of the donor, the majority of the surviving children;

(3)(A) Third, the surviving parent or parents of the donor.

(B) If one (1) of the parents of the donor is absent, the remaining parent shall be vested with the rights and duties of this section after reasonable efforts have been unsuccessful in locating the absent parent;



(4) Fourth, the surviving brother or sister of the donor or, if there is more than one (1) sibling of the donor, the majority of the surviving siblings;

(5) Fifth, the surviving grandparent of the donor or, if there is more than one (1) surviving grandparent, the majority of the grandparents;

(6) Sixth, the surviving grandchild of the donor or, if there is more than one (1) surviving grandchild, the majority of the grandchildren;

(7) Seventh, the guardian of the donor at the time of the donor's death, if one had been appointed; or

(8) Eighth, the person in the classes of the next degree of kinship, in descending order, under the laws of descent and distribution to inherit the estate of the donor."

AND

Page 2, delete lines 1 through 25

AND

Page 2, line 26, delete "(b)(1)" and substitute "(c)(1)"

AND

Page 2, line 33, delete "(c)(1)" and substitute "(d)(1)"

AND

Page 3, line 21, delete "(d)" and substitute "(e)"

AND

Page 3, line 23, delete "(e)" and substitute "(f)"

AND

Page 3, line 27, delete "(f)" and substitute "(g)"

AND

Page 3, line 30, delete "private" and substitute "organ"

AND

Page 3, delete lines 31 through 34, and substitute the following:

"(a)(1) On or before January 31 of every year, an organ procurement organization that procures or recovers organs or tissues in this state shall submit a written report to the Legislative Council for the organ procurement organization's most recent fiscal year."

AND

Page 4, line 2, delete "harvested by the private" and substitute "recovered by the organ"

AND

Page 4, delete line 3, and substitute the following:

"the reporting period, together with a breakdown of the number of organs that were donated by persons who had consented to donation prior to death and the number of organs that were donated under § 20-17-1209."

AND

Page 4, line 4, delete "private" and substitute "organ"

AND

Page 4, delete lines 12 through 14

AND

Page 4, line 15, delete "(C)" and substitute "(B)"

AND

Page 4, delete lines 16 through 18, and substitute the following:

"tissues were furnished by the organ procurement organization;

(C)(i) The total moneys paid to the organ procurement"

AND

Page 4, line 19, delete "harvested" and substitute "recovered"

AND

Page 4, line 20, delete "private" and substitute "organ"

AND

Page 4, line 21, delete "private" and substitute "organ"

AND

Page 4, line 22, delete "private" and substitute "organ"

AND

Page 4, line 23, delete "(a)(2)(D)(i)" and substitute "(a)(2)(C)(i)"

AND

Page 4, line 24, delete "harvested" and substitute "recovered"

AND

Page 4, delete lines 28 through 32, and substitute the following:

"(d) Any other purpose;

(E) The number of instances in which the revocation of any

anatomical gift under § 20-17-1228(a) was communicated to the organ
procurement organization; and

(F) The number of instances in which the revocation of any
anatomical gift under § 20-17-1228(b) was communicated to the organ
procurement organization."

AND

Page 4, line 33, delete "(c)" and substitute "(b)"

AND

Page 4, line 35, delete "Council." and substitute "Council unless excused or
waived by the Legislative Council."

AND

Page 4, line 36, delete "(d)" and substitute "(c)"

AND

Page 5, delete lines 3 through 10, and substitute the following:

"state.

(d) The Secretary of State shall revoke the charter of an organ
procurement organization that fails to timely report under this section."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Irvin

JMB/JMB - 04-07-2025 01:49:45

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Secretary