



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2651

Introduced 1/20/2006, by Sen. Christine Radogno

SYNOPSIS AS INTRODUCED:

625 ILCS 5/6-117

from Ch. 95 1/2, par. 6-117

Amends the Illinois Vehicle Code. Provides that the brochure explaining that a person may make an anatomical gift by having his or her name included in the First Person Consent organ and tissue donor registry, which the Office of the Secretary of State must give to each applicant for issuance or renewal of a driver's license or identification card, must inform the applicant that organ donation procedures may prevent him or her from spending the final moments of life with loved ones.

LRB094 18825 DRH 54235 b

1 AN ACT concerning organ donation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 6-117 as follows:

6 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

7 Sec. 6-117. Records to be kept by the Secretary of State.

8 (a) The Secretary of State shall file every application for
9 a license or permit accepted under this Chapter, and shall
10 maintain suitable indexes thereof. The records of the Secretary
11 of State shall indicate the action taken with respect to such
12 applications.

13 (b) The Secretary of State shall maintain appropriate
14 records of all licenses and permits refused, cancelled, revoked
15 or suspended and of the revocation and suspension of driving
16 privileges of persons not licensed under this Chapter, and such
17 records shall note the reasons for such action.

18 (c) The Secretary of State shall maintain appropriate
19 records of convictions reported under this Chapter. Records of
20 conviction may be maintained in a computer processible medium.

21 (d) The Secretary of State may also maintain appropriate
22 records of any accident reports received.

23 (e) The Secretary of State shall also maintain appropriate
24 records of any disposition of supervision or records relative
25 to a driver's referral to a driver remedial or rehabilitative
26 program, as required by the Secretary of State or the courts.
27 Such records shall only be available for use by the Secretary,
28 law enforcement agencies, the courts, and the affected driver
29 or, upon proper verification, such affected driver's attorney.

30 (f) The Secretary of State shall also maintain or contract
31 to maintain appropriate records of all photographs and
32 signatures obtained in the process of issuing any driver's

1 license, permit, or identification card. The record shall be
2 confidential and shall not be disclosed except to those
3 entities listed under Section 6-110.1 of this Code.

4 (g) The Secretary of State may establish a First Person
5 Consent organ and tissue donor registry in compliance with
6 subsection (b-1) of Section 5-20 of the Illinois Anatomical
7 Gift Act, as follows:

8 (1) The Secretary shall offer, to each applicant
9 for issuance or renewal of a driver's license or
10 identification card who is 18 years of age or older, the
11 opportunity to have his or her name included in the First
12 Person Consent organ and tissue donor registry. The
13 Secretary must advise the applicant or licensee that he or
14 she is under no compulsion to have his or her name included
15 in the registry. An individual who agrees to having his or
16 her name included in the First Person Consent organ and
17 tissue donor registry has given full legal consent to the
18 donation of any of his or her organs or tissue upon his or
19 her death. A brochure explaining this method of executing
20 an anatomical gift must be given to each applicant for
21 issuance or renewal of a driver's license or identification
22 card. The brochure must advise the applicant or licensee
23 (i) that he or she is under no compulsion to have his or
24 her name included in this registry, ~~and~~ (ii) that he or she
25 may wish to consult with family, friends, or clergy before
26 doing so, and (iii) that organ donation procedures may
27 prevent him or her from spending the final moments of life
28 with loved ones.

29 (2) The Secretary of State may establish
30 additional methods by which an individual may have his or
31 her name included in the First Person Consent organ and
32 tissue donor registry.

33 (3) When an individual has agreed to have his or
34 her name included in the First Person Consent organ and
35 tissue donor registry, the Secretary of State shall note
36 that agreement in the First Person consent organ and tissue

1 donor registry. Representatives of federally designated
2 organ procurement agencies and tissue banks may inquire of
3 the Secretary of State whether a potential organ donor's
4 name is included in the First Person Consent organ and
5 tissue donor registry, and the Secretary of State may
6 provide that information to the representative.

7 (4) An individual may withdraw his or her consent
8 to be listed in the First Person Consent organ and tissue
9 donor registry maintained by the Secretary of State by
10 notifying the Secretary of State in writing, or by any
11 other means approved by the Secretary, of the individual's
12 decision to have his or her name removed from the registry.

13 (5) The Secretary of State may undertake
14 additional efforts, including education and awareness
15 activities, to promote organ and tissue donation.

16 (6) In the absence of gross negligence or willful
17 misconduct, the Secretary of State and his or her employees
18 are immune from any civil or criminal liability in
19 connection with an individual's consent to be listed in the
20 organ and tissue donor registry.

21 (Source: P.A. 94-75, eff. 1-1-06.)