

AN ACT concerning health.

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

Section 5. The Secretary of State Act is amended by adding Section 35 as follows:

(15 ILCS 305/35 new)

Sec. 35. Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations.

(a) The General Assembly finds and declares that:

(1) Non-transplant organ donation organizations that accept or process whole body donations or body parts not for transplantation owe a duty of transparency and safekeeping to the donor and his or her next of kin. Medical and scientific research is critical to a continued understanding of the human body, disease, and training the next generation of medical professionals, funeral home directors, coroners, and mortuary students. Non-transplant organ donation organizations do not include organizations that receive body parts for the purposes of transplantation.

(2) Recently, non-transplant organizations that receive or process whole body donation or body part donation not for transplantation purposes, have misused or

mishandled donor bodies and body parts.

(3) Neither State nor federal law adequately regulates this industry.

(b) As used in this Section, "Task Force" means the Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations.

(c) There is created a Task Force on Best Practices and Licensing of Non-Transplant Organ Donation Organizations to review and report on national standards for best practices in relation to the licensing and regulation of organizations that solicit or accept non-transplantation whole bodies and body parts, including licensing standards, State regulation, identification of bodies and body parts, and sanctions. The goal of the Task Force is to research the industry, investigate State and local standards, and provide recommendations to the General Assembly and Office of the Governor.

(d) The Task Force's report shall include, but not be limited to, standards for organizations that accept whole body and body part donation, the application process for licensure, best practices regarding consent, the identification, labeling, handling and return of bodies and body parts to ensure proper end-use and return to the next of kin, and best practices for ensuring donors and next of kin are treated with transparency and dignity. The report shall also evaluate and make a recommendation as to the area of State government most

appropriate for licensing organizations and regulation of the industry. The report shall also make a recommendation on legislation to enact the findings of the Task Force.

(e) The Task Force shall meet no less than 5 times between the effective date of this amendatory Act of the 102nd General Assembly and December 31, 2021. The Task Force shall prepare a report that summarizes its work and makes recommendations resulting from its review. The Task Force shall submit the report of its findings and recommendations to the Governor and General Assembly no later than January 15, 2022.

(f) The Task Force shall consist of the following 8 members:

(1) the Secretary of State or his or her designee;

(2) one member appointed by the Secretary of State from the Department of Organ Donor of the Office of the Secretary of State;

(3) one member appointed by the President of the Senate;

(4) one member appointed by the Minority Leader of the Senate;

(5) one member appointed by the Speaker of the House of Representatives;

(6) one member appointed by the Minority Leader of the House of Representatives;

(7) one member appointed by the Director of Public Health; and

(8) one member from a University or Mortuary School that has experience in receiving whole body donations, appointed by the Governor.

(g) The Secretary of State shall designate which member shall serve as chairperson and facilitate the Task Force. The members of the Task Force shall be appointed no later than 90 days after the effective date of this amendatory Act of the 102nd General Assembly. Vacancies in the membership of the Task Force shall be filled in the same manner as the original appointment. The members of the Task Force shall not receive compensation for serving as members of the Task Force.

(h) The Office of the Secretary of State shall provide the Task Force with administrative and other support.

(i) This Section is repealed on July 1, 2022.

Section 99. Effective date. This Act takes effect upon becoming law.