

JAN 28 2002

HUMAN RESOURCES

HOUSE FILE 2133
BY FORD

(COMPANION TO LSB 5807SS
BY ANGELO)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the effect of an unrevoked document of gift
2 under the uniform anatomical gift Act.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2133

1 Section 1. Section 142C.3, subsection 8, Code 2001, is
2 amended to read as follows:

3 8. A document of gift that is not revoked by the donor
4 prior to the donor's death ~~is irrevocable and does:~~

5 a. Is irrevocable.

6 b. Does not require the consent or concurrence of any
7 other person after the donor's death and is sufficient legal
8 authority without the consent or concurrence of any other
9 person, following the donor's death, for the removal of any
10 part donated under the document of gift. For the purposes of
11 this paragraph, "any other person" includes but is not limited
12 to a family member, a guardian, an attorney in fact named
13 under a durable power of attorney for health care, or an
14 executor of the donor's estate.

15 Sec. 2. Section 142C.3, Code 2001, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 8A. A person, including but not limited
18 to a family member, a guardian, an attorney in fact named
19 under a durable power of attorney for health care, or an
20 executor of the donor's estate, shall not revoke or in any way
21 supersede a document of gift that is not revoked by the donor
22 prior to the donor's death.

23 EXPLANATION

24 This bill provides that a document of gift that is not
25 revoked by a donor prior to the donor's death, in addition to
26 being irrevocable, does not require the consent or concurrence
27 of any other person and is sufficient legal authority without
28 the consent or concurrence of any other person, following the
29 donor's death for the removal of any part donated under the
30 document of gift. For the purposes of the bill, "any other
31 person" includes but is not limited to a family member, a
32 guardian, an attorney in fact named under a durable power of
33 attorney for health care, or an executor of the donor's
34 estate. The bill also provides that a person, including but
35 not limited to a family member, a guardian, an attorney in

1 fact named under a durable power of attorney for health care,
2 or an executor of the donor's estate, shall not revoke or in
3 any way supersede a document of gift that is not revoked by
4 the donor prior to the donor's death.

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