

ASSEMBLY BILL NO. 144—ASSEMBLYMEN CARRILLO  
AND OHRENSCHALL

FEBRUARY 18, 2013

Referred to Committee on Health and Human Services

SUMMARY—Revises certain provisions pertaining to anatomical gifts. (BDR 40-141)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to anatomical gifts; providing that an anatomical gift made by an unemancipated minor who is at least 16 years of age and possesses a driver’s license cannot be revoked or amended by the minor’s parent; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Under existing law, an unemancipated minor may make an anatomical gift of  
2 his or her body or part thereof if he or she is authorized under state law to apply for  
3 a driver’s license because he or she is at least 16 years of age. (NRS 451.556,  
4 451.558) However, existing law also provides that if a donor who is an  
5 unemancipated minor dies, a parent of the donor who is reasonably available  
6 may revoke or amend an anatomical gift of the donor’s (minor’s) body or part.  
7 (NRS 451.562)  
8 This bill creates an exception such that if a donor who is an unemancipated  
9 minor dies and at the time of his or her death the donor was at least 16 years of age  
10 and held a valid driver’s license, a parent of the donor is prohibited from revoking  
11 or amending an anatomical gift of the donor’s (minor’s) body or part.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 451.562 is hereby amended to read as follows:  
2 451.562 1. ~~Except as otherwise provided in subsection 7 and~~  
3 ~~subject~~ *Subject* to ~~subsection~~ *the provisions of subsections 6* ~~†~~  
4 *and 7*, in the absence of an express, contrary indication by the  
5 donor, a person other than the donor is barred from making,



1 amending or revoking an anatomical gift of a donor's body or part if  
2 the donor made an anatomical gift of the donor's body or part under  
3 NRS 451.558 or an amendment to an anatomical gift of the donor's  
4 body or part under NRS 451.559.

5 2. A donor's revocation of an anatomical gift of the donor's  
6 body or part under NRS 451.559 is not a refusal and does not bar  
7 another person specified in NRS 451.556 or 451.566 from making  
8 an anatomical gift of the donor's body or part under NRS 451.558 or  
9 451.568.

10 3. If a person other than the donor makes an unrevoked  
11 anatomical gift of the donor's body or part under NRS 451.558 or an  
12 amendment to an anatomical gift of the donor's body or part under  
13 NRS 451.559, another person may not make, amend or revoke the  
14 gift of the donor's body or part under NRS 451.568.

15 4. A revocation of an anatomical gift of a donor's body or part  
16 under NRS 451.559 by a person other than the donor does not bar  
17 another person from making an anatomical gift of the body or part  
18 under NRS 451.558 or 451.568.

19 5. In the absence of an express, contrary indication by the  
20 donor or other person authorized to make an anatomical gift under  
21 NRS 451.556, an anatomical gift of a part is neither a refusal to give  
22 another part nor a limitation on the making of an anatomical gift of  
23 another part at a later time by the donor or another person.

24 6. In the absence of an express, contrary indication by the  
25 donor or other person authorized to make an anatomical gift under  
26 NRS 451.556, an anatomical gift of a part for one or more of the  
27 purposes set forth in NRS 451.556 is not a limitation on the making  
28 of an anatomical gift of the part for any of the other purposes by the  
29 donor or any other person under NRS 451.558 or 451.568.

30 7. ~~##~~ *Except as otherwise provided in this subsection, if*  
31 *donor who is an unemancipated minor dies, a parent of the donor*  
32 *who is reasonably available may revoke or amend an anatomical gift*  
33 *of the donor's body or part. If a donor who is an unemancipated*  
34 *minor dies and the donor was at least 16 years of age and held a*  
35 *valid driver's license at the time of his or her death, a parent of the*  
36 *donor may not revoke or amend an anatomical gift of the donor's*  
37 *body or part.*

38 8. If an unemancipated minor who signed a refusal dies, a  
39 parent of the minor who is reasonably available may revoke the  
40 minor's refusal.

41 **Sec. 2.** This act becomes effective on July 1, 2013.

