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House Bill 4362 (Substitute S-2 as reported by the Committee of the Whole)
House Bill 4363 (Substitute S-1 as reported by the Committee of the Whole)
House Bill 4364 (as reported without amendment)
Sponsor: Representative Felicia Brabec (H.B. 4362)
Representative Cynthia Neeley (H.B. 4363)
Representative Natalie Price (H.B. 4364)
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

House Bill 4362 (S-2) would amend the Income Tax Act to prescribe requirements for creating and administering an organ donor registry schedule that would allow a taxpayer to join the donor registry when filing an annual State income tax return. The bill would require the Department of Treasury to share the information gathered on the donor registry schedule with the Secretary of State (SOS) and the organ procurement organization.

House Bill 4363 (S-1) would amend the Public Health Code to allow an organ donor to make an anatomical gift upon the donor's death after completing and filing a donor registry schedule with an annual State income tax return. The bill also would require the SOS to send information in the organ donor registry schedule directly to the organ procurement organization under specified circumstances.

House Bill 4364 would amend the revenue Act to allow a person required to disclose information from the donor registry to share that information with the appropriate organizations, namely the Department of Treasury and the SOS.

MCL 206.471 et al. (H.B. 4362)
MCL 333.10120 et al. (H.B. 4363)
MCL 205.28 (H.B. 4364)

BRIEF RATIONALE

Reportedly, there are over 2,500 Michiganders awaiting an organ donation. According to testimony, after the COVID-19 pandemic, the SOS received fewer in-person visits and so verbally asked fewer people if they wanted to become organ donors. Some people believe the SOS asking fewer people has slowed the organ donor registry's growth. Accordingly, it has been suggested that taxpayers also be allowed to become organ donors when filing an annual State income tax return.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

House Bill 4362 (S-2) would add one-time and ongoing costs to the Department to update the State tax forms and to develop and track the donor registry schedule. The tax form changes should be supported with current appropriations that are used to annually update tax forms from year to year. The ongoing costs to develop and track the donor registry would require additional staff and costs that could be greater than current appropriations. The bill

would have no fiscal impact on the Department of Health and Human Services, the SOS, or local units of government.

House Bill 4363 (S-1) would have a minor fiscal impact on the Department of Treasury to transmit the donor registry schedule to Department of State. These costs are likely to be supported with current appropriations.

House Bill 4364 would have no fiscal impact on the Department of Treasury as the confidentiality policy would be similar to the Department's current confidentiality policies.

Date Completed: 6-22-23

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.