

Committee Substitute for Senate Bill No. 414

An act relating to the conveyance of bodies into or out of the state; amending s. 406.61, F.S.; authorizing certain accredited entities to convey plastinated bodies or parts of bodies for certain purposes; requiring such accredited entities to provide prior notification to the anatomical board and submit certain information and documentation to the board; authorizing such accredited entities to submit an affidavit containing specified information in lieu of such documentation for certain plastinated bodies; providing for future expiration; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 406.61, Florida Statutes, is amended to read:

406.61 Selling, buying, or conveying bodies outside state prohibited; exceptions, penalty.—

(1) Any person who sells ~~shall sell~~ or buys ~~buy~~ any body or parts of bodies as described in this chapter or any person except a recognized Florida medical or dental school who transmits ~~shall transmit~~ or conveys ~~convey~~ or causes ~~cause~~ to be transmitted or conveyed such body or parts of bodies to any place outside this state commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in ss. 775.082 and 775.083. However, ~~nothing in this chapter does not prohibit~~ shall be ~~construed as prohibiting~~ the anatomical board from transporting human specimens outside the state for educational or scientific purposes or prohibit ~~as prohibiting~~ the transport of bodies, parts of bodies, or tissue specimens in furtherance of lawful examination, investigation, or autopsy conducted pursuant to s. 406.11. Any person, institution, or organization that conveys bodies or parts of bodies into or out of the state for medical education or research purposes shall notify the anatomical board of such intent and receive approval from the board.

(2) Any entity accredited by the American Association of Museums may convey plastinated bodies or parts of bodies into or out of the state for exhibition and public educational purposes without the consent of the board if the accredited entity:

(a) Notifies the board of the conveyance and the duration and location of the exhibition at least 30 days before the intended conveyance.

(b) Submits to the board a description of the bodies or parts of bodies and the name and address of the company providing the bodies or parts of bodies.

(c) Submits to the board documentation that each body was donated by the decedent or his or her next of kin for purposes of plastination and public exhibition, or, in lieu of such documentation, an affidavit stating that each body was donated directly by the decedent or his or her next of kin for such purposes to the company providing the body and that such company has a donation form on file for the body.

(3) Notwithstanding paragraph (2)(c) and in lieu of the documentation or affidavit required under paragraph (2)(c), for a plastinated body that, before July 1, 2009, was exhibited in this state by any entity accredited by the American Association of Museums, such an accredited entity may submit an affidavit to the board stating that the body was legally acquired and that the company providing the body has acquisition documentation on file for the body. This subsection expires January 1, 2012.

Section 2. This act shall take effect July 1, 2009.

Approved by the Governor June 10, 2009.

Filed in Office Secretary of State June 10, 2009.