

By: Representative Fleming

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 23

1 AN ACT TO CREATE THE ORGAN DONOR LEAVE ACT, WHICH PROVIDES
2 LEAVE FOR STATE EMPLOYEES TO USE WHEN DONATING AN ORGAN, BONE
3 MARROW, BLOOD OR BLOOD PLATELETS; TO REQUIRE THE DEPARTMENT OF
4 FINANCE AND ADMINISTRATION TO ADOPT RULES TO ESTABLISH CONDITIONS
5 AND PROCEDURES FOR REQUESTING AND APPROVING ORGAN DONOR LEAVE; AND
6 FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** This act shall be cited as the "Organ Donor Leave
9 Act."

10 **SECTION 2.** This act is intended to provide time off with pay
11 for state employees who donate an organ, bone marrow, blood or
12 blood platelets.

13 **SECTION 3.** The following definitions shall govern the
14 construction and meaning of the terms used in this act:

15 (a) "Agency" means any agency, department or
16 institution of state government, but does not include political
17 subdivisions of the state.

18 (b) "Department" means the Department of Finance and
19 Administration.

20 (c) "Participating employee" means a permanent
21 full-time or part-time employee who has been employed by an agency
22 for a period of six (6) months or more and who donates an organ,
23 bone marrow, blood or blood platelets.

24 **SECTION 4.** (1) On request, a participating employee subject
25 to this act may be entitled to organ donation leave with pay.

26 (2) An employee may use up to:

27 (a) Thirty (30) days of organ donation leave in any
28 twelve-month period to serve as a bone marrow donor;

29 (b) Thirty (30) days of organ donation leave in any
30 twelve-month period to serve as an organ donor;

31 (c) One (1) hour to donate blood every fifty-six (56)
32 days; and

33 (d) Two (2) hours to donate blood platelets in
34 accordance with appropriate medical standards established by the
35 American Red Cross or other nationally-recognized standards.
36 Leave under this paragraph (d) may not be granted more than
37 twenty-four (24) times in a twelve-month period.

38 (3) An employee may use organ donation leave or other leave
39 authorized in subsection (2) of this section only after obtaining
40 approval from the employee's agency.

41 (4) An employee may not be required to use accumulated major
42 medical or personal leave time before being eligible for organ
43 donor leave.

44 (5) The department shall adopt rules governing organ donation
45 leave, including rules that establish conditions and procedures
46 for requesting and approving leave, and require medical
47 documentation of the proposed organ or bone marrow donation before
48 leave is approved by the employing agency.

49 **SECTION 5.** This act shall take effect and be in force from
50 and after July 1, 2004.