

By: Senator(s) Bryan, Little, Dawkins

To: Fees, Salaries and Administration

SENATE BILL NO. 2639

1 AN ACT TO ENACT A "MISSISSIPPI LIVING ORGAN DONOR LEAVE ACT"  
2 WHICH PROVIDES FOR EXTENDED LEAVE TIME FOR STATE EMPLOYEES WHO  
3 MAKE A LIVING ORGAN OR BONE MARROW DONATION; AND FOR RELATED  
4 PURPOSES.

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

6 **SECTION 1.** (1) This act may be cited as the "Mississippi  
7 Organ Donor Leave Act."

8 (2) This act is intended to provide time off with pay for  
9 state employees who donate an organ, bone marrow, blood or blood  
10 platelets.

11 (3) As used in this act:

12 (a) "Agency" means any branch, department, board,  
13 committee or commission of state government, but does not include  
14 units of local government or school districts.

15 (b) "Department" means the Mississippi Department of  
16 Finance and Administration.

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

21 (4) (a) On request, a participating employee subject to  
22 this act may be entitled to organ donation leave with pay.

23 (b) An employee may use (i) up to thirty (30) days of  
24 organ donation leave in any twelve-month period to serve as a bone  
25 marrow donor, (ii) up to thirty (30) days of organ donation leave  
26 in any twelve-month period to serve as an organ donor, (iii) up to  
27 one (1) hour to donate blood every fifty-six (56) days, and (iv)  
28 up to two (2) hours to donate blood platelets in accordance with

29 appropriate medical standards established by the American Red  
30 Cross or other nationally recognized standards. Leave under  
31 subparagraph (iv) may not be granted more than twenty-four (24)  
32 times in a twelve-month period.

33 (c) An employee may use organ donation leave or other  
34 leave authorized in paragraph (b) of this section only after  
35 obtaining approval from the employee's agency.

36 (d) An employee shall not be required to use  
37 accumulated sick or vacation leave time before being eligible for  
38 organ donor leave.

39 (e) The department must adopt rules governing organ  
40 donation leave, including rules that (i) establish conditions and  
41 procedures for requesting and approving leave, and (ii) require  
42 medical documentation of the proposed organ or bone marrow  
43 donation before leave is approved by the employing agency.

44 **SECTION 2.** This act shall take effect and be in force from  
45 and after July 1, 2004.