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BILL ANALYSIS

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Senate Bill 376 (Substitute S-2 as reported)
Sponsor: Senator Gilda Z. Jacobs
Committee: Commerce and Labor

CONTENT

The bill would create the "Organ Donor Leave Act" to allow the Department of Management and Budget (DMB) to implement and administer an organ donor leave time program for State employees other than those in the State classified civil service; and require the DMB to report annually to the Legislature, Governor, and Civil Service Commission regarding the program. The bill also specifies that the Civil Service Commission would be encouraged to approve an organ donor leave time program for State employees in the classified civil service.

Under the bill, a State employee, other than one employed in the State classified civil service, could be allowed leave time to permit him or her to serve as an organ donor. Participation in the program could not result in a loss or reduction in pay or affect leave time to which the organ donor otherwise was entitled; credit for time of service; or a performance or efficiency rating. In any calendar year, an eligible State employee could use up to 30 days of leave to serve as an organ donor.

The DMB would have to provide a written report to the Governor, the Secretary of the Senate, the Clerk of the House, and the Civil Service Commission by November 1, 2007, and each subsequent November 1. The report would have to contain the number of participants in the program; the departments with program participants; and the average number of days a program participant took as leave time under the program.

"Organ" would mean a "human organ" as that term is defined in the Public Health Code, i.e., the human kidney, liver, heart, lung, pancreas, intestine, bone marrow, cornea, eye, bone, skin, cartilage, dura matter, ligaments, tendons, fascia, pituitary gland, and middle ear structures and any other human organ specified by rule, but not whole blood, blood plasma, blood products, blood derivatives, other self-replicating body fluids, or human hair.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on State government depending on the number of employees who would receive leave time under the proposed program. The cost also would depend on whether an employee would have to be replaced during the leave period.

Date Completed: 3-15-06

Fiscal Analyst: Bill Bowerman