



**Am. H.B. 326**

124th General Assembly  
(As Passed by the House)

**Reps. Jolivette, Peterson, Coates, Latell, Carmichael, Sykes, Flowers, Patton, Oakar, Sullivan, Schmidt, Seitz, R. Miller, Evans, Faber, Bocchieri, Flannery, Carano, Hartnett, Sulzer, Ogg, Redfern, Fedor, Barrett, Cirelli, Calvert, Driehaus, Strahorn, Latta, Olman, Key, Seaver, Perry, Schaffer, Distel, S. Smith, Rhine, Krupinski, Hoops, Brown, Young, Otterman, Widowfield, Kilbane, Roman, Allen, Aslanides, Collier, Beatty, Barnes, Britton, Salerno, Woodard**

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**BILL SUMMARY**

- Entitles to a full-time state employee a maximum 30 days paid leave to serve as a liver or kidney donor and a maximum of seven days paid leave to serve as a bone marrow donor.
- Encourages political subdivisions and private employers to grant similar paid leave to their full-time employees.
- Requires periodic provision of information about the leave entitlements to state employees.

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**CONTENT AND OPERATION**

***Paid leave for liver, kidney, and bone marrow donations***

Under the bill, a full-time state employee is to receive up to 240 hours (30 days) of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of any portion of an adult liver or because of the employee's donation of an adult kidney. A full-time state employee also is entitled to receive up 56 hours (seven days) of leave with pay during each calendar year to use during those hours when the employee is absent from work because of the employee's donation of adult bone marrow. The bill requires an appointing authority to compensate such an employee who uses the leave at the employee's regular rate of pay for those regular work hours during which the employee is absent from work. (Sec. 124.139(A), (B), and (C).)

The bill states that the General Assembly encourages political subdivisions and private employers in Ohio to grant their full-time employees paid leave similar to that provided under the bill (Section 3). (See **COMMENT**.)

**Providing information about organ and bone marrow donation leave**

The bill requires the Director of Administrative Services to periodically provide information to certain state employees about the liver, kidney, and bone marrow donation leave benefits provided by the bill. The Director must send the information to employees who are paid directly by warrant of the Auditor of State. For employees who are not paid directly by warrant of the Auditor of State, such information must be periodically provided by the employee's appointing authority. (Secs. 124.04(I)(2) and 124.139(D).)

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**COMMENT**

Specific statutory authority is not necessary in order for political subdivisions to confer these leave benefits as there is inherent authority for a local appointing authority to do so under its authority to provide compensation. *Ebert v. Stark Cty. Bd. Of Mental Retardation* (1980), 63 Ohio St. 2d 31.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	07-10-01	p. 802
Reported, H. State Gov't	10-30-01	pp. 1042-1043
Passed House (97-0)	01-09-02	p. 1215

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