



Am. H.B. 326*

124th General Assembly

(As Reported by S. State & Local Government & Veterans Affairs)

Reps. Jolivette, Peterson, Coates, Latell, Carmichael, Sykes, Flowers, Patton, Oakar, Sullivan, Schmidt, Seitz, R. Miller, Evans, Faber, Boccieri, 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

BILL SUMMARY

- Entitles a full-time state employee to a maximum of 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.

CONTENT AND OPERATION

Paid leave for liver, kidney, and bone marrow donations

Under the bill, a full-time state employee is entitled 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 to 56 hours (seven days) of leave with pay during each calendar year to use during those hours when

* *This analysis was prepared before the report of the Senate State and Local Government and Veterans Affairs Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

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 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 provide periodically to certain state employees information 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 provided periodically by the employee's appointing authority. (Secs. 124.04(I)(2) and 124.139(D).)

COMMENT

Specific statutory authority is not necessary in order for political subdivisions to confer these benefits as there is inherent authority for an 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.

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
Reported, S. State & Local Gov't & Veterans Affairs	---	---

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