



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3188

Introduced 2/2/2026, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

820 ILCS 149/10

Amends the Employee Blood Donation Leave Act. Provides that an employee who does not have available paid leave is entitled to take one hour of unpaid leave every 56 days to donate blood. Provides that the leave to serve as an organ donor is unpaid unless the employer has a policy allowing the leave to be paid or unless the employee has available paid leave. Provides that, if the employer does not have a policy providing paid leave and the employee does not have enough available paid leave to cover the absence, the employee is entitled to up to 10 days of unpaid leave in any 12-month period in order to serve as an organ donor. Makes other changes.

LRB104 18322 SPS 31762 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Employee Blood and Organ Donation Leave Act
5 is amended by changing Section 10 as follows:

6 (820 ILCS 149/10)

7 Sec. 10. Leave ~~Paid leave~~ for blood and organ donation;
8 administration.

9 (a) On request, a participating employee subject to this
10 Act may be entitled to leave with pay to donate blood or an
11 organ.

12 (b) A participating employee may use up to one hour of
13 available paid leave, or more if authorized by the employer
14 through a policy or a collective bargaining agreement, to
15 donate blood every 56 days in accordance with appropriate
16 medical standards established by the American Red Cross,
17 America's Blood Centers, the American Association of Blood
18 Banks, or other nationally recognized standards. An employee
19 who does not have available paid leave is entitled to take one
20 hour of unpaid leave off every 56 days to donate blood.

21 (b-5) A participating employee or part-time employee of an
22 employer may use up to 10 days of leave in any 12-month period
23 to serve as an organ donor. The leave to serve as an organ

1 donor is unpaid unless the employer has a policy allowing the
2 leave to be paid or unless the employee has available paid
3 leave, in which case, employees can choose to substitute
4 available paid leave for the unpaid leave. If the employer
5 does not have a policy providing paid leave and the employee
6 does not have enough available paid leave to cover the
7 absence, the employee is entitled to up to 10 days of unpaid
8 leave in any 12-month period in order to serve as an organ
9 donor. For a part-time employee using leave under this
10 subsection, the employer shall calculate the daily average pay
11 the part-time employee received during his or her previous 2
12 months of employment and compensate the part-time employee in
13 the amount of the daily average pay for the leave days used.

14 (c) A participating employee or part-time employee may use
15 the leave authorized in subsection (b) or (b-5) of this
16 Section only after obtaining approval from the employer.

17 (d) The Department must adopt rules governing leave taken
18 to donate blood or an organ, including rules that (i)
19 establish conditions and procedures for requesting and
20 approving leave and (ii) require medical documentation of the
21 proposed blood or organ donation before leave is approved by
22 the employer.

23 (Source: P.A. 103-450, eff. 1-1-24; 104-193, eff. 1-1-26.)