



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB2769

Introduced 1/30/2014, by Sen. Pamela J. Althoff

#### SYNOPSIS AS INTRODUCED:

5 ILCS 327/5  
5 ILCS 327/10  
5 ILCS 327/20

Amends the Organ Donor Leave Act. Allows the Director of Central Management Services to set, by administrative rule, the amount of compensated time that an employee may use to donate blood. Acknowledges that technology may advance at a rate that outpaces the General Assembly's ability to address those advances legislatively. Provides that, to the extent that the Act may not expressly apply to those technological advances, the Act should nonetheless be interpreted to further the declared policy of the Act. Defines the terms "blood" and "organ". Effective immediately.

LRB098 17669 OMW 52783 b

1 AN ACT concerning government.

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

4 Section 5. The Organ Donor Leave Act is amended by changing  
5 Sections 5, 10, and 20 as follows:

6 (5 ILCS 327/5)

7 Sec. 5. Purpose. This Act is intended to provide time off  
8 with pay for State employees who donate an organ, bone marrow,  
9 or blood, ~~or blood platelets.~~

10 (Source: P.A. 92-754, eff. 1-1-03.)

11 (5 ILCS 327/10)

12 Sec. 10. Definitions. As used in this Act:

13 "Agency" means any branch, department, board, committee,  
14 or commission of State government, but does not include units  
15 of local government, school districts, or boards of election  
16 commissioners.

17 "Blood" means both the liquid that circulates in the  
18 arteries and veins of a human body and any cells or parts  
19 thereof, including, but not limited to, whole blood, plasma,  
20 red blood cells, white blood cells, and platelets.

21 "Department" means the Department of Central Management  
22 Services.

1           "Organ" means any biological tissue of the human body that  
2           may be donated by a living donor, including, but not limited  
3           to, the kidney, liver, lung, pancreas, intestine, bone, and  
4           skin or any subpart thereof.

5           "Participating employee" means a permanent full-time or  
6           part-time employee who has been employed by an agency for a  
7           period of 6 months or more and who donates an organ, bone  
8           marrow, or blood, ~~or blood platelets.~~

9           (Source: P.A. 92-754, eff. 1-1-03.)

10           (5 ILCS 327/20)

11           Sec. 20. Administration of Act.

12           (a) On request, but subject to the operating needs of the  
13           employing agency, a participating employee subject to this Act  
14           may be entitled to organ donation leave with pay.

15           (b) An employee may use (i) up to 30 days of organ donation  
16           leave in any 12-month period to serve as a bone marrow donor,  
17           (ii) up to 30 days of organ donation leave in any 12-month  
18           period to serve as an organ donor, and (iii) time, as set forth  
19           by Department rule, to donate blood, up to one hour or more to  
20           ~~donate blood every 56 days, and (iv) up to 2 hours or more to~~  
21           ~~donate blood platelets~~ in accordance with appropriate medical  
22           standards established by the American Red Cross, America's  
23           Blood Centers, the American Association of Blood Banks, or  
24           other nationally-recognized standards. It is recognized that  
25           technology may advance at a rate that outpaces the General

1 Assembly's ability to address those advances legislatively. To  
2 the extent that this Act may not expressly apply to those  
3 technological advances, this Act should nonetheless be  
4 interpreted to further the declared policy of this Act. Leave  
5 under item (iv) may not be granted more than 24 times in a  
6 12 month period.

7 (c) An employee may use organ donation leave or other leave  
8 authorized in subsection (b) of this Section only after  
9 obtaining approval from the employee's agency.

10 (d) An employee may not be required to use accumulated sick  
11 or vacation leave time before being eligible for organ donor  
12 leave.

13 (e) The Department must adopt rules governing organ  
14 donation leave, including rules that (i) establish conditions  
15 and procedures for requesting and approving leave and (ii)  
16 require medical documentation of the proposed organ or bone  
17 marrow donation before leave is approved by the employing  
18 agency.

19 (Source: P.A. 94-33, eff. 1-1-06; 95-354, eff. 1-1-08.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.