

House Bill 235

By: Representatives Townsend of the 179<sup>th</sup>, Powell of the 33<sup>rd</sup>, Jones of the 25<sup>th</sup>, Newton of the 127<sup>th</sup>, Heffner of the 130<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to education, so as to require employers of school  
3 employees to provide leaves of absence for the donation of bone marrow and organs; to  
4 provide for standards and conditions for granting such leaves of absence; to provide for a  
5 penalty for noncompliance; to provide for definitions; to provide for a short title; to provide  
6 for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Georgia Supporting Living Donor  
10 Educators Act."

11 **SECTION 2.**

12 Article 1 of Chapter 1 of Title 20 of the Official Code of Georgia Annotated, relating to  
13 general provisions relative to education, is amended by adding a new Code section to read  
14 as follows:

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15 "20-1-12.

16 (a) As used in this Code section, the term:

17 (1) 'Organ' means a human organ, including the eye, that is capable of being transferred  
18 from the body of a person to the body of another person.

19 (2) 'School employee' means an individual employed by a public school system,  
20 including, but not limited to, primary and secondary institutions operated by local or  
21 independent boards of education that receive any funds from the state or any agency  
22 thereof, or by a public postsecondary institution.

23 (b) A school employee shall be entitled to receive the following leaves of absence, without  
24 loss of pay:

25 (1) Not more than seven days for the purpose of bone marrow donation for  
26 transplantation, which shall not be charged against or deducted from any annual or sick  
27 leave and shall be included as service in computing any retirement or pension benefits;  
28 and

29 (2) Not more than 30 days for the purpose of organ donation for transplantation, which  
30 shall not be charged against or deducted from any annual or sick leave and shall be  
31 included as service in computing any retirement or pension benefits.

32 (c) A school employee shall not be entitled to a leave of absence set forth in this Code  
33 section unless he or she furnishes a statement from a medical practitioner who is to perform  
34 such transplantation procedure or from a hospital administrator where such procedure is  
35 to be performed that such employee is making a bone marrow or organ donation. Such  
36 statement shall be furnished to the employer of a school employee no less than seven days  
37 prior to any leave of absence to be scheduled.

38 (d) Any employer of a school employee that fails to provide a leave of absence in  
39 compliance with this Code section shall be subject to the withholding of state funding or  
40 state administered federal funding."

41

**SECTION 3.**

42 All laws and parts of laws in conflict with this Act are repealed.