

House Bill 235 (AS PASSED HOUSE AND SENATE)

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 public  
3 school teachers and employees and postsecondary employees to provide leaves of absence  
4 for the donation of bone marrow and organs; to provide for standards and conditions for  
5 granting such leaves of absence; to prohibit waivers of such leaves of absence; to provide for  
6 definitions; to provide for a short title; to provide for related matters; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

12 **SECTION 2.**

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

H. B. 235

16 "20-1-12.

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

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

20 (2) 'Public school employee' shall have the same meaning as set forth in Code Section  
21 20-2-910.

22 (3) 'Public school teacher' shall have the same meaning as set forth in Code Section  
23 20-2-880.

24 (4) 'Postsecondary employee' shall include any person employed not less than half time  
25 by the University System of Georgia or any institution thereof or the Technical College  
26 System of Georgia or any unit thereof; provided, however, that such term shall not be  
27 deemed to include any emergency or temporary employee.

28 (b) Each public school teacher and public school employee shall be entitled to receive the  
29 following leaves of absence, without loss of pay:

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

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

37 (c) Each postsecondary employee shall be entitled to receive the following leaves of  
38 absence, without loss of pay:

39 (1) Not more than seven days for the purpose of bone marrow donation for  
40 transplantation, which shall not be charged against or deducted from any annual or sick  
41 leave; and

42 (2) Not more than 30 days for the purpose of organ donation for transplantation, which  
43 shall not be charged against or deducted from any annual or sick leave.

44 (d) No individual shall be entitled to a leave of absence provided for in this Code section  
45 unless he or she furnishes a statement from a medical practitioner who is to perform such  
46 transplantation procedure or from a hospital administrator where such procedure is to be  
47 performed that such individual is making a bone marrow or organ donation. Such  
48 statement shall be furnished to such individual's employer no less than seven days prior to  
49 any leave of absence to be scheduled.

50 (e) This Code section shall not be subject to waiver pursuant to Code Section 20-2-82 for  
51 a strategic waivers school system, Code Section 20-2-244 for a local board of education,  
52 or Code Section 20-2-2063.2 for a charter system."

53 **SECTION 3.**

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