

2026 Regular Session

HOUSE BILL NO. 561

BY REPRESENTATIVE HILFERTY

HEALTH/ANATOMICAL GIFTS: Provides relative to unpaid leave for living organ donations

1 AN ACT

2 To enact R.S. 40:1263.5, relative to living organ donation; to provide for definitions; to
3 provide for eligibility; to provide for employer requirements; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1263.5 is hereby enacted to read as follows:

7 §1263.5. Definitions; unpaid leave for organ donors; guarantee of continued
8 employment

9 A. As used in this Section, the following definitions apply:

10 (1) "Employee" means a person who performs services for hire for an
11 employer, for an average of twenty or more hours per week, and includes all
12 individuals employed at any site owned or operated by an employer. Employee does
13 not include an independent contractor.

14 (2) "Employer" means a person or entity that employs twenty or more
15 employees at at least one site and includes an individual, corporation, partnership,
16 association, nonprofit organization, group of persons, state, parish, town, city, school
17 district, or other governmental subdivision.

18 B. An employer shall grant an unpaid leave of absence to an employee who
19 seeks to undergo a medical procedure to donate a living organ. The combined length
20 of the leave shall be determined by the employee, but may not exceed one hundred

1 and sixty work hours, unless agreed to by the employer. The employer may require
2 verification by a healthcare professional, such as a physician or nurse practitioner,
3 of the purpose and length of each leave requested by the employee to donate a living
4 organ.

5 C. An employer shall not terminate or otherwise retaliate against an
6 employee for requesting or obtaining a leave of absence as provided by this Section.

7 D. This Section does not prevent an employer from providing leave for
8 living organ donation in addition to leave allowed in accordance with this Section.
9 This Section does not affect an employee's rights with respect to any other
10 employment benefit.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 561 Original

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Hilferty

Abstract: Provides for unpaid leave for a person who donates a living organ.

Proposed law defines "employee" as a person who works for hire for an employer for an average of twenty or more hours per week at a site owned or operated by the employer, and excludes independent contractors.

Proposed law defines "employer" as a person or entity that employs twenty or more employees at at least one site, including private and public employers.

Proposed law requires an employer to grant an employee unpaid leave to undergo a medical procedure to donate a living organ for up to one hundred sixty work hours unless the employer agrees to a longer period.

Proposed law allows the employer to require verification from a healthcare professional of the purpose and length of the leave requested for living organ donation.

Proposed law prohibits an employer from terminating or retaliating against an employee for requesting or taking leave for living organ donation.

Proposed law clarifies that an employer may provide additional leave beyond that required and proposed law does not affect an employee's rights to other employment benefits.

(Adds R.S. 40:1263.5)