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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 328 Original 2026 Regular Session Myers

Proposed law may be cited as the "Louisiana Living Donor Paid Leave Protection Act".

Proposed law provides legislative purpose as follows:

- (1) To protect organ donors from job insecurity or surgery delays.
- (2) To encourage living organ donors whose organs last longer and function better than deceased donor organs.
- (3) To keep Louisianians healthy, employed, and out of long-term state-funded care, thereby saving the state thousands of dollars per patient each year.

Proposed law provides that the intent of the legislature is to facilitate living organ donors' return to employment at a reasonable cost to the employer.

Proposed law defines "employee", "employer", "human organ", "living organ donor", "private employer", and "state agency".

Proposed law requires an employer to grant paid leave of absence to an employee who seeks to donate a human organ. Proposed law further provides that the paid leave will not exceed 30 working days without authorization from the employer.

Proposed law provides that donor paid leave will be in addition to medical, vacation, military, jury duty, or other leave authorized by present law.

Proposed law permits the employer to require verification by a physician of the purpose and length of each leave requested by the employee to donate a human organ.

Proposed law requires a private employer to grant a 30 day unpaid leave of absence to an employee who serves as a human organ or bone marrow donor if the employee requests leave of absence in writing. Proposed law further allows a private employer to authorize an employee's leave of absence beyond 30 days.

Proposed law provides that an employee cannot be discharged, demoted, suspended, threatened, harassed, or discriminated against for obtaining a leave of absence to become a human organ or bone marrow donor.

Proposed law prohibits organ donor paid leave to be used for retirement purposes.

Proposed law provides that organ donor paid leave will not have cash value upon termination.

Effective August 1, 2026.

(Adds R.S. 40:1264 and 1264.1)