

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 259
SENATE BILL 1253

AN ACT

AMENDING TITLE 41, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 41-705; RELATING TO STATE EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 4, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-705, to read:

4 41-705. State employee living donor leave: definitions

5 A. AN EMPLOYEE IS ENTITLED TO A LEAVE OF ABSENCE FOR THE TIME
6 SPECIFIED FOR THE FOLLOWING PURPOSES:

7 1. FIVE WORK DAYS TO SERVE AS A BONE MARROW DONOR FOR A BONE MARROW
8 TRANSPLANT IF THE EMPLOYEE PROVIDES THE EMPLOYEE'S EMPLOYER WITH WRITTEN
9 VERIFICATION THAT THE EMPLOYEE IS TO SERVE AS A BONE MARROW DONOR.

10 2. THIRTY WORK DAYS TO SERVE AS AN ORGAN DONOR FOR A HUMAN ORGAN
11 TRANSPLANT IF THE EMPLOYEE PROVIDES THE EMPLOYEE'S EMPLOYER WITH WRITTEN
12 VERIFICATION THAT THE EMPLOYEE IS TO SERVE AS AN ORGAN DONOR.

13 B. AN EMPLOYEE WHO IS GRANTED A LEAVE OF ABSENCE PURSUANT TO THIS
14 SECTION IS ENTITLED TO RECEIVE BASE PAY WITHOUT INTERRUPTION DURING THE LEAVE
15 OF ABSENCE. FOR THE PURPOSE OF DETERMINING SENIORITY, PAY OR PAY ADVANCEMENT
16 AND PERFORMANCE AWARDS AND FOR THE RECEIPT OF ANY BENEFIT THAT MAY BE
17 AFFECTED BY A LEAVE OF ABSENCE, THE SERVICE OF THE EMPLOYEE IS CONSIDERED
18 UNINTERRUPTED BY THE LEAVE OF ABSENCE.

19 C. THE EMPLOYER SHALL NOT PENALIZE AN EMPLOYEE FOR REQUESTING OR
20 OBTAINING A LEAVE OF ABSENCE PURSUANT TO THIS SECTION.

21 D. FOR THE PURPOSES OF THIS SECTION:

22 1. "BONE MARROW" MEANS THE SOFT MATERIAL THAT FILLS HUMAN BONE
23 CAVITIES.

24 2. "BONE MARROW TRANSPLANT" MEANS THE MEDICAL PROCEDURE BY WHICH
25 TRANSFER OF BONE MARROW IS MADE FROM THE BODY OF A PERSON TO THE BODY OF
26 ANOTHER PERSON.

27 3. "EMPLOYEE" MEANS A PERSON EMPLOYED IN A POSITION IN ANY OFFICE,
28 BOARD, COMMISSION OR DEPARTMENT IN STATE GOVERNMENT, A PERSON EMPLOYED BY THE
29 JUDICIARY OR A PERSON EMPLOYED BY A UNIVERSITY UNDER THE JURISDICTION OF THE
30 ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE DISTRICT.

31 4. "HUMAN ORGAN TRANSPLANT" MEANS THE MEDICAL PROCEDURE BY WHICH
32 TRANSFER OF AN ORGAN OR PART OF AN ORGAN IS MADE FROM THE BODY OF A PERSON TO
33 THE BODY OF ANOTHER PERSON.

34 5. "ORGAN" MEANS HUMAN ORGANS OR PARTS OF AN ORGAN THAT ARE CAPABLE OF
35 BEING TRANSFERRED FROM THE BODY OF A PERSON TO THE BODY OF ANOTHER PERSON.

APPROVED BY THE GOVERNOR JUNE 6, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2008.