



STATE DONOR LEAVE REGULATIONS

Regulations can change and some are more complex than the brief summaries below. Please verify how the regulations in your state apply to you. Regulations use the term “bone marrow donation” but this also applies to peripheral blood stem cell donation. Most states specifically protect employees from losing their job for taking a leave to donate bone marrow.

Updated January 2024.

FEDERAL REGULATIONS	Regulation and Summary
Applies to all federal employees	5 USC 6237 – SEC. 6327 A federal employee is entitled to seven (7) days of paid leave each calendar year to donate bone marrow. This is separate from an employee’s annual vacation or sick leave.
STATE REGULATIONS	Regulation and Summary
Alabama Applies to state employees	§670-X-14.04 State employees with one year of service may take 7 days of paid leave to donate bone marrow.
Alaska Applies to state employees	§39.20.275 A state employee may take paid administrative leave of 40 to 80 hours to make a bone marrow donation, including time spend on the donor screening process.
Arizona Applies to state employees	§41-706 A state employee may take paid leave for five workdays to donate bone marrow.

<p style="text-align: center;">Arkansas Applies to state employees</p>	<p style="text-align: center;">§21-4-215 A state employee may take seven days of paid leave per calendar year to donate bone marrow.</p>
<p style="text-align: center;">California Applies to state employees and private sector employees</p>	<p style="text-align: center;">§1508 to 1513 Employers with more than 15 employees must provide a paid leave of absence of up to five days per year to donate bone marrow. The employer may require that an employee take up to five days of paid unused sick or vacation leave for bone marrow donation.</p>
<p style="text-align: center;">Colorado Applies to state employees.</p>	<p style="text-align: center;">§24-50-104-7b No more than two days of paid leave provided per year to donate bone marrow.</p>
<p style="text-align: center;">Connecticut Applies to state employees and private sector employees</p>	<p style="text-align: center;">§67:5-248a (State) State employees may have up to 24 weeks of medical leave of absence per year without pay, including for the purpose of donating bone marrow.</p> <p style="text-align: center;">§557:31-511l-e (Private Sector) Private sector employees may have up to 12 workweeks of unpaid medical leave per year including for the purpose of donating bone marrow.</p>
<p style="text-align: center;">Delaware Applies to state employees</p>	<p style="text-align: center;">§5121 and §1318B A state employee may take seven days of leave per year to donate bone marrow without loss of pay or other leave time.</p>
<p style="text-align: center;">District of Columbia</p>	<p style="text-align: center;">§1-612.03b (District Government Employees)</p>



<p>Applies to state employees and private sector employees</p>	<p>District employees are entitled to seven days of leave per year to donate bone marrow, without loss of pay.</p> <p>§47-1807.08 (Private Sector) Corporations that provide seven days of paid leave for employees to donate bone marrow are eligible for a tax credit.</p>
<p>Georgia Applies to state employees</p>	<p>§45-20-31 State employees receive seven paid days of leave to donate bone marrow.</p>
<p>Hawaii Applies to state employees and private sector employees</p>	<p>§78-23.6 (State) State employees receive seven paid days of leave per year to donate bone marrow.</p> <p>§21-398A (Private sector) Private sector employees may take seven days of unpaid leave per calendar year to donate bone marrow.</p>
<p>Idaho Applies to state employees.</p>	<p>§67-5343 and §59-1608 State employees receive five days of paid leave to donate bone marrow.</p>
<p>Illinois Applies to state employees and private sector employees.</p>	<p>§327/20 (State) State employees may use up to 30 days of organ donation leave in any 12-month period to donate bone marrow.</p> <p>§820/149 (Private sector) Eligible employees qualify for 10 days of paid leave in any 12-month period to serve as a bone marrow donor.</p>



<p>Indiana Applies to state employees.</p>	<p>§4-15-16-7 State employees may have five days of paid leave to donate bone marrow.</p>
<p>Iowa Applies to state employees</p>	<p>§70A.39 and §63.2(8A) State employees may have five days of paid leave to donate bone marrow.</p>
<p>Kansas Applies to state employees</p>	<p>Executive Order 2001-02 Employees may have seven days of paid leave to donate bone marrow</p>
<p>Kentucky Applies to state employees</p>	<p>§18A.194 State employees may have a paid leave of absence up to 40 hours to donate bone marrow.</p>
<p>Louisiana Applies to state employees and private sector employees</p>	<p>§40:1299.124 Employers with 20+ employees must provide up to 40 hours of paid leave to donate bone marrow.</p>
<p>Maine Applies to state employees and private sector employees</p>	<p>§843 and §844 Employers with 15+ employees must provide all those with 12+ months of consecutive service up to 10 work weeks of family medical leave, including bone marrow donation, during each two-year period.</p>
<p>Maryland Applies to state employees and private sector employees</p>	<p>§11.02.03.18 (State) In each 12-month period, state employees may take up to 7 paid days of leave to donate bone marrow.</p> <p>§3-1402 (Private Sector)</p>



	Employees are entitled to up to 30 unpaid business days of leave in any 12-month period to donate bone marrow.
Massachusetts Applies to state employees	§149:33E Employees of the commonwealth, as well as counties, cities and towns that adopt this regulation, may have up to 30 days of paid leave in a calendar year to donate bone marrow.
Michigan Applies to state employees	SB-384 State employees may receive up to 30 days of paid leave to donate bone marrow.
Minnesota Applies to state and private sector employees	§181:945, §181:9456 Employers with 20+ employees provide up to 40 hours of paid leave to donate bone marrow.
Mississippi Applies to state employees	§23-3-103 State employees may have up to 30 days of paid leave to donate bone marrow.
Missouri Applies to state employees	§105.266 State employees may have five days of paid leave to donate bone marrow.
Nebraska Applies to state and private sector employees	§71.4820 Employers are encouraged to provide paid leave to employees.
New Jersey Applies to private sector employees. A separate statute applies to teachers.	New Jersey offers a tax deduction to employers who offer paid time off for donation on top of other paid time off. §18A:30-2.2

	Teachers and school employees may take a paid leave of absence up to 5 days to donate bone marrow.
New Mexico Applies to state employees	§24-28-3 State employees may have up to 20 days of paid leave to donate bone marrow
New York Applies to state and private sector employees	§202-a (Private Sector) Private sector employees at firms with 20 or more staff may have paid leave for up to 24 hours. §202-b (State) State employees are allowed up to 7 days of paid leave to donate bone marrow.
North Carolina Applies to state employees	§126-8.6 State employees may take 7 days of paid leave to donate bone marrow.
North Dakota Applies to state employees	§54-06-14.4 State employees may receive up to 20 days of paid leave to donate bone marrow.
Ohio Applies to state employees	§124.139 State employees may receive up to 56 hours of paid leave to donate bone marrow.
Oklahoma Applies to state employees	§74-840-2-2.20B State employees may receive up to 5 days of paid leave to donate bone marrow
Oregon Applies to state and private sector employees	§659A.312 All state and private sector employees are entitled to up to 40 hours of accrued paid leave.

<p align="center">Pennsylvania Applies to state and private sector employees</p>	<p align="center">PL 292, No. 65, Cl. 35 Businesses providing paid leave of absence to employees to donate bone marrow may receive a tax credit for up to five days of time.</p> <p align="center">Pennsylvania Living Donor Act Employers subject to the Family and Medical Leave Act must provide leave to employees to donate bone marrow.</p>
<p align="center">South Carolina Applies to state and private sector employees</p>	<p align="center">§44-43-80 Employers of 20 or more employees may give paid leave up to 40 hours to donate bone marrow.</p>
<p align="center">Tennessee Applies to University of Tennessee employees only</p>	<p align="center">The University of Tennessee provides eligible faculty and staff up to one week of paid leave to donate bone marrow.</p>
<p align="center">Texas Applies to state employees</p>	<p align="center">§661.916 State employees are entitled to a paid leave of absence for up to five days to donate bone marrow.</p>
<p align="center">Utah Applies to state employees</p>	<p align="center">§67-69-14.5 State employees may receive 7 days of paid leave to donate bone marrow.</p>
<p align="center">Virginia Applies to state and private sector employees</p>	<p align="center">§2.2-2821.1 (State) State employees may take up to 30 days of paid leave in a calendar year to donate bone marrow.</p> <p align="center">§40.1-33.8 (Private Sector) Private sector employees may take up to 30 days of unpaid leave in any 12-month period to donate bone marrow.</p>



<p align="center">Washington Applies to state employees</p>	<p align="center">Executive Order 02-01 State employees may take up to 5 paid days of donation leave in a two-year period to donate bone marrow.</p>
<p align="center">West Virginia Applies to state employees</p>	<p align="center">§29-6-28 State employees may receive up to 56 hours of paid leave to donate bone marrow.</p>
<p align="center">Wisconsin</p>	<p align="center">§29-6-28 (State) State employees may have up to 5 paid days of leave to donate bone marrow. Bone Marrow and Organ Donation Leave Act (Private Sector) Employers of 50 or more employees must allow qualified employees up to 6 weeks of leave in a 12-month period for bone marrow donation.</p>

As of January 2024, the following states have no policy in place: Florida, Montana, Nevada, New Hampshire, South Dakota, Vermont, Wyoming