

SENATE BILL No. 288

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-2-21.2.

Synopsis: Organ donation. Provides that an employee who has worked for an employer for at least a year is entitled to take an unpaid leave of absence for organ donation. Provides that a leave of absence may not exceed 30 working days per calendar year. Requires an eligible employee to provide notice to the employee's employer before taking a leave of absence. Provides that an employer may require an eligible employee to take other leave before using the leave of absence.

Effective: July 1, 2026.

Rogers

January 12, 2026, read first time and referred to Committee on Pensions and Labor.



Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE BILL No. 288

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-2-21.2 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]:

4 **Chapter 21.2. Leave for Organ Donation**

5 **Sec. 1. As used in this chapter, "employee" means a person
6 employed or permitted to work or perform services for
7 remuneration under a contract of hire, written or oral, by an
8 employer.**

9 **Sec. 2. As used in this chapter, "employer" means the following:**

10 **(1) A sole proprietor, corporation, partnership, limited
11 liability company, or other entity with one (1) or more
12 employees.**

13 **(2) A state agency.**

14 **(3) A political subdivision (as defined in IC 36-1-2-13).**

15 **Sec. 3. As used in this chapter, "state agency" means an
16 authority, board, branch, commission, committee, department,
17 division, or other instrumentality of any of the following:**



- (1) The executive, including the administrative department of state government.
- (2) The legislative department of state government.
- (3) The judicial department of state government.
- (4) A state educational institution.
- (5) A body corporate and politic created by statute.

Sec. 4. (a) An employee who has been employed by an employer for at least twelve (12) months is entitled to an unpaid leave of absence for organ donation, including recovery and testing, as provided in this chapter.

(b) A leave of absence under this chapter may not exceed a total of thirty (30) working days per calendar year.

(c) An eligible employee may elect, or an employer may require the employee, to substitute any earned paid leave, except medical or sick leave, for the leave provided under this chapter.

Sec. 5. An eligible employee who wants to take a leave of absence under this chapter shall provide written notice to the employee's employer of the date the leave will begin. An employee shall give at least thirty (30) days notice before the date on which the employee intends to begin the leave.

Sec. 6. Nothing in this chapter restricts an employer from providing:

- (1) more than thirty (30) working days of leave per calendar year; or**
- (2) paid leave.**

Sec. 7. An employer may not retaliate against an employee for requesting or obtaining a leave of absence under this chapter.

Sec. 8. If an employee is eligible to take a leave of absence under this chapter and IC 4-15-16, the employee may only take leave under IC 4-15-16.

