

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 476

By: Senator J. Scott

For An Act To Be Entitled

AN ACT TO ALLOW LEAVE FOR ORGAN DONATION FOR CERTAIN STATE EMPLOYEES; TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS APPLYING FOR LIFE INSURANCE WHO ARE ORGAN DONORS; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW LEAVE FOR ORGAN DONATION FOR CERTAIN STATE EMPLOYEES; AND TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS APPLYING FOR LIFE INSURANCE WHO ARE ORGAN DONORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 21, Chapter 4, Subchapter 1, is amended to add an additional section to read as follows:

21-4-108. Leave for organ donation.

(a) As used in this section:

(1) "Living organ donor" means an individual who has donated all or part of an organ and is not deceased;

(2) "Organ" means a human organ that is capable of being transferred from the body of one (1) person to the body of another person;

(3) "State agency" means a department, agency, bureau, board, or commission of any branch of state government; and

(4)(A) "State employee" means a full-time employee of a state agency who has been employed with the state agency for at least twelve (12) months.



(B) "State employee" does not include:

- (i) A member of the General Assembly;
- (ii) An employee of the Secretary of State; or
- (iii) An employee of the Treasurer of State.

(b)(1) A state employee shall be granted absence from work for a period of time equal to twelve (12) weeks for recovery from surgery related to a living organ donation.

(2) If the state employee learns of his or her surgery date to be a living organ donor less than thirty (30) days in advance, then the state employee shall give notice to the state agency as soon as reasonably possible.

(3) For the purpose of calculating career service anniversary dates, an absence under subdivision (b)(1) of this section is considered full-time employment.

SECTION 2. Arkansas Code Title 23, Chapter 81, Subchapter 1, is amended to add an additional section to read as follows:

23-81-138. Application for life insurance – Discrimination based on organ donor status prohibited – Definitions.

(a) As used in this section:

(1)(A) "Life insurer" means an entity that enters into a contract that incorporates mortality risk, including an annuity contract.

(B) "Life insurer" includes without limitation an insurer issuing life insurance contracts that grant additional benefits in the event of an insured's disability; and

(2) "Living organ donor" means an individual who has donated all or part of an organ and is not deceased.

(b) A life insurer authorized to transact the business of insurance in this state shall not cancel, limit, or deny life insurance coverage or establish any differential in premium rates based on an individual's status as a living organ donor.

(c) A life insurer shall not consider an individual's decision to be a living organ donor for any insurance purpose.