

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3823 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Chris Sneed _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3823

By: Sneed

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9 PROPOSED POLICY COMMITTEE SUBSTITUTE

10 An Act relating to unpaid leave for organ donation;
11 defining terms; providing regulations; creating an
12 income tax credit for employers electing to pay the
13 wages of the employee for organ donation leave;
14 providing an exception for the Family Medical Leave
15 Act; providing for codification; and providing an
16 effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 160.1 of Title 40, unless there
20 is created a duplication in numbering, reads as follows:

21 A. As used in this act:

22 1. "Bone marrow donor" means a person from whose body bone
23 marrow is taken to be transferred to the body of another person;
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1 2. "Organ" means a human organ that is capable of being
2 transferred from the body of a person to the body of another person,
3 including, but not limited to, eyes;

4 3. "Organ donor" means a person from whose body an organ is
5 taken to be transferred to the body of another person; and

6 4. "Private employer" means a sole proprietor, corporation,
7 partnership, limited liability company, or other entity with one (1)
8 or more employees. A private employer does not include a
9 municipality, county, state agency, institution of higher education,
10 or other public employer.

11 B. 1. In addition to any medical, personal, or other paid
12 leave provided by the employer, a private employer shall grant an
13 employee an unpaid leave of absence to allow the employee to serve
14 as an organ donor or a bone marrow donor if the employee requests a
15 leave of absence in writing;

16 2. The length of the leave of absence shall be equal to the
17 time requested by the employee or ninety (90) days, whichever is
18 less; and

19 3. A private employer may grant a paid or unpaid leave of
20 absence for a length of time greater than ninety (90) days.

21 C. If a private employer agrees to pay the employee's regular
22 salary or wages during the leave of absence required pursuant to
23 subsection B of this section, then the private employer is entitled
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1 to a credit against the private employer's Oklahoma withholding tax
2 liability.

3 1. The amount of the credit provided in subsection C of this
4 section shall be equal to twenty-five percent (25%) of the regular
5 salary or wages paid to the employee while the employee was on a
6 leave of absence required pursuant to subsection B of this section;

7 2. If the private employer grants the employee a leave of
8 absence greater than ninety (90) days, the credit provided pursuant
9 to subsection C of this section shall be limited to the regular
10 salary or wages paid during the first ninety (90) days of the leave
11 of absence; and

12 3. The credit shall be taken within one (1) year of the date
13 upon which the leave required pursuant to subsection B of this
14 section begins.

15 D. This section shall not apply if the employee is eligible for
16 leave pursuant to the Family Medical Leave Act, 29 U.S.C., Section
17 2601 et seq.

18 SECTION 2. This act shall become effective November 1, 2026.

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20 60-2-16012 TJ 01/29/26
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