

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/SCS/Senate Bill No. 1003, Page 10, Section 41.1018, Line 15,

2 by inserting after all of said line the following:

3 "41.1030. 1. As used in this section, the following  
4 terms mean:

5 (1) "Department", the Missouri department of the  
6 National Guard;

7 (2) "Living donation period", the period in which a  
8 member who chooses to become a living organ donor completes  
9 all phases of the living donor process deemed medically  
10 necessary for a successful living donation including, but  
11 not limited to, the testing, surgical, and recovery phases;

12 (3) "Member", a member of the Missouri National Guard;

13 (4) "Program", the Missouri guaranteed inclusive  
14 voluntary exceptional service (MO GIVES) program established  
15 in subsection 2 of this section.

16 2. Subject to appropriation, the department shall  
17 establish a program for members who choose to become living  
18 organ donors to receive living donor medical orders for  
19 purposes of remaining on paid status during the living  
20 donation period, to be known as the "Missouri Guaranteed  
21 Inclusive Voluntary Exceptional Service (MO GIVES) Program".

22 3. Any member seeking to become a living organ donor  
23 may apply to participate in the program. The department  
24 shall approve a member's participation in the program if  
25 sufficient funds are available and the member:

26           (1) Is in either Troop Program Unit (TPU) status or  
27 Individual Ready Reserve (IRR) status;

28           (2) Is in good standing with the department;

29           (3) Either:

30           (a) Is not eligible for living donor paid leave from  
31 the member's employer, whether due to the lack of such  
32 employer benefit or the failure to satisfy the eligibility  
33 requirements; or

34           (b) Elects not to use any such employer-based benefit  
35 available to the member;

36           (4) Specifies the type of donation to be made, whether  
37 directed to a specific individual, nondirected, or paired;  
38 and

39           (5) Agrees to undergo the procurement operation at a  
40 health care facility approved as a provider of continuing  
41 education points for transplant certification by the  
42 American Board for Transplant Certification.

43           4. Upon approval of a member's application, the  
44 department shall issue a living donor medical order for the  
45 member. The order shall:

46           (1) Guarantee paid leave for the member for the living  
47 donation period. The period of paid leave guaranteed under  
48 the order shall not exceed forty-five days unless an  
49 extension of time is deemed medically necessary by the  
50 primary surgical and medical recovery team;

51           (2) Exempt the member from any requirement to use  
52 accrued annual or medical leave for the paid living donation  
53 period guaranteed under the order; and

54           (3) Provide a per diem allowance and a basic allowance  
55 for housing during the paid living donation period  
56 guaranteed under the order based on the member's rank,  
57 region as determined by the zip code of the member's home of  
58 record, and dependent status.

59           5. Any organ donated through participation in the  
60 program may be transported outside this state to the  
61 ultimate recipient.

62           6. Benefits under the program shall be provided  
63 through the fund established in subsection 7 of this section.

64           7. (1) There is hereby created in the state treasury  
65 the "MO GIVES Fund", which shall consist of moneys  
66 appropriated to it by the general assembly and any gifts,  
67 contributions, grants, or bequests received from federal,  
68 private, or other sources. The state treasurer shall be  
69 custodian of the fund. In accordance with sections 30.170  
70 and 30.180, the state treasurer may approve disbursements.  
71 The fund shall be a dedicated fund and, upon appropriation,  
72 moneys in this fund shall be used solely to provide benefits  
73 under the program established in this section.

74           (2) Notwithstanding the provisions of section 33.080  
75 to the contrary, any moneys remaining in the fund at the end  
76 of the biennium shall not revert to the credit of the  
77 general revenue fund.

78           (3) The state treasurer shall invest moneys in the  
79 fund in the same manner as other funds are invested. Any  
80 interest and moneys earned on such investments shall be  
81 credited to the fund.

82           8. The department may promulgate all necessary rules  
83 and regulations for the administration of this section. Any  
84 rule or portion of a rule, as that term is defined in  
85 section 536.010, that is created under the authority  
86 delegated in this section shall become effective only if it  
87 complies with and is subject to all of the provisions of  
88 chapter 536 and, if applicable, section 536.028. This  
89 section and chapter 536 are nonseverable and if any of the  
90 powers vested with the general assembly pursuant to chapter  
91 536 to review, to delay the effective date, or to disapprove

92 and annul a rule are subsequently held unconstitutional,  
93 then the grant of rulemaking authority and any rule proposed  
94 or adopted after August 28, 2026, shall be invalid and  
95 void."; and

96 Further amend the title and enacting clause accordingly.