

HB 1515 -- PUBLIC EMPLOYEE WHISTLEBLOWER PROTECTION

SPONSOR: McCann Beatty

This bill modifies a provision of state law providing protection for designated employees from retaliation for disclosing certain information about a public employer. The bill provides that all employees of public employers are protected by this section. The public employer may not prohibit or discipline an employee for discussing the operations of the public employer with certain state or local officials, testifying before a court or other body, or disclosing any alleged prohibited activity, including a violation of policy, waste of public resources or breach of professional ethical canons.

A public employee who alleges a violation of this section may bring a civil action for damages within one year of the alleged violation. A prevailing plaintiff may recover actual damages including lost wages, punitive damages of no more than five times the amount of actual damages, reinstatement, and other injunctive relief. The bill allows a public employee who is the subject of disciplinary action in violation of this section to request the State Auditor to investigate alleged misconduct involving the expenditure of public funds.

The bill further prohibits any confidentiality agreement from being offered or required of any person who obtains a claim or judgment to be made out of the state legal expense fund.