



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 118

PRINTERS NO. 242

PRIME SPONSOR: Ellis

COST / (SAVINGS)

FUND	FY 2012/13	FY 2013/14
General Fund	\$0	\$0
Political Subdivision Funds	\$0	\$0

SUMMARY: Extends protections of the Pennsylvania Whistleblower Law (Act 169 of 1986) to employees of nonprofits/private sector companies who report waste of public monies obtained by their employer for services or work. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends the Whistleblower Law to extend protections to employees of nonprofits/private companies which receive money from a public body to perform services or work.

The legislation adds language recognizing the Office of the Inspector General as an “appropriate authority” to which a whistleblower can report wrongdoing or waste. An appropriate authority, to which a violation has been reported, shall not disclose the identity of a whistleblower without his or her consent, unless disclosure is unavoidable in the investigation of an alleged violation.

The legislation also amends the law to state that a court shall (instead of “may”) award a complainant all, or a portion of, litigation costs, including reasonable attorney fees and witness fees.

Lastly, the legislation increases the civil fine in the current law from \$500 to \$10,000, and increases the amount of time that a person, other than an elected official, can be suspended from public office (for attempting to prevent disclosure of criminal activity) from six months to seven years.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or political subdivision funds. The legislation could add some additional costs to Commonwealth agencies or political subdivisions due to changing the word “may” to “shall” in Section 5 of the Law as it relates to a court awarding a complainant all or a portion of the costs of litigation, including reasonable attorney fees and witness fees, if the court determines that the award is appropriate. Any new costs associated with this change would be indeterminable at this point and could be offset by the increase in civil fines submitted to the General Fund also in the legislation.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: February 4, 2013

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.