



HOUSE COMMITTEE ON APPROPRIATIONS
2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 2108

PRINTER'S NO: 3386

PRIME SPONSOR: Ellis

FISCAL IMPACT SUMMARY	FY 2009/10	FY 2010/11
Expenditure Increase/(Decrease):		
General Fund	\$0	\$0

OVERVIEW:

House Bill 2108 amends the act of December 12, 1986 (P.L.1559, No.169), known as the Whistleblower Law, further providing for the definition of who is covered by this act and increases the penalty for violations.

The bill takes effect 60 days after enactment.

ANALYSIS:

This legislation is a policy decision that extends the existing whistle blower protection to employees of nonprofits/private sector companies who report waste of public monies obtained by their employer for services or work.

The bill has no known fiscal year costs. There may be potential legal and enforcement activities which at this time are not quantifiable. However, this legislation proposes an increases civil fine for a person who violates this act which should offset legal costs.

- The maximum civil fine will be \$10,000. Current limit is \$500. This bill will increase the maximum fine by \$9,500 or 1900%.

Also, the legislation changes a 'may' requirement for the courts to a 'shall' award the complainant all or a portion of the costs of litigation, including reasonable attorney fees and witness fees if complainant prevails in the civil action.

Except in the case of an elected official, the court may order the person's suspension from public service for not more than seven years. This is an increase from current maximum suspension of up to six months.

PREPARED BY: Fran Coleman, Budget Analyst
House Appropriations Committee, (D)

DATE: April 21, 2010

General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*