



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 105

PRINTERS NO. 73

PRIME SPONSOR: Ellis

FUND: General

COST / (SAVINGS)

FY 2010/11	FY 2011/12
\$0	\$0

SUMMARY: Amends the act of December 12, 1986 known as the Whistleblower Law, which was an act providing for protection of employees who report a violation or suspected violation of State, local, or Federal law. This legislation would take effect in 60 days.

ANALYSIS: This legislation changes the definitions of “employer” and “employee”. The definition for employee is changed to reflect someone who performs services for an employer. The employer definition is changed to include an entity that receives money from a public body to perform work or provide services. These entities may include individuals, partnerships, associations, for-profit corporations, and not-for-profit corporations. The bill also provides new protections for employees of these public bodies for an instance of waste by any other employer.

The legislation also amends language regarding enforcement of the law. In Section 5, language is added that a court shall also award the complainant all or a portion of the costs of litigation if the complainant prevails in the civil action. This bill also increases civil penalties up to \$10,000 from the current \$500 and also increases a person’s possible suspension from public service up to 7 years from the current 6 month maximum.

FISCAL IMPACT: This bill will have no adverse fiscal impact on Commonwealth funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: February 7, 2011

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