

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1540 be amended to read as follows:

- 1 Page 31, between lines 21 and 22, begin a new paragraph and
2 insert:
3 "SECTION 4. IC 4-15-10-4 IS AMENDED TO READ AS
4 FOLLOWS: Sec. 4. (a) Any employee may report in writing the
5 existence of:
6 (1) a violation of a federal law or regulation;
7 (2) a violation of a state law or rule;
8 (3) a violation of an ordinance of a political subdivision (as
9 defined in IC 36-1-2-13); or
10 (4) the misuse of public resources;
11 first to a supervisor or appointing authority, unless the supervisor or
12 appointing authority is the person whom the employee believes is
13 committing the violation or misuse of public resources. In that case, the
14 employee may report the violation or misuse of public resources in
15 writing to either the supervisor or appointing authority or to the state
16 ethics commission and any official or agency entitled to receive a
17 report from the state ethics commission under IC 4-2-6-4(b)(2)(G) or
18 IC 4-2-6-4(b)(2)(H). If a good faith effort is not made to correct the
19 problem within a reasonable time, the employee may submit a written
20 report of the incident to any person, agency, or organization.
21 (b) For having made a report under subsection (a) **or for**
22 **contacting a state elected or appointed official under subsection**
23 **(d)**, the employee making the report **or contacting the state elected or**
24 **appointed official** may not:
25 (1) be dismissed from employment;
26 (2) have salary increases or employment related benefits
27 withheld;

- 1 (3) be transferred or reassigned;
2 (4) be denied a promotion the employee otherwise would have
3 received; or
4 (5) be demoted.

5 (c) Notwithstanding subsections (a) and (b), an employee must
6 make a reasonable attempt to ascertain the correctness of any
7 information to be furnished and may be subject to disciplinary actions
8 for knowingly furnishing false information, including suspension or
9 dismissal, as determined by the employee's appointing authority or the
10 appointing authority's designee. However, any state employee
11 disciplined under this subsection is entitled to process an appeal of the
12 disciplinary action under the procedure as set forth in IC 4-15-2-34 and
13 IC 4-15-2-35.

14 **(d) Any employee may contact any state elected or appointed**
15 **official for any reason. In addition to the protections offered by**
16 **subsection (b), an employee contacting a state elected or appointed**
17 **official may not be:**

- 18 (1) reprimanded;
19 (2) investigated;
20 (3) consulted;
21 (4) disciplined;
22 (5) interrogated;
23 (6) accused of violating the chain of command; or
24 (7) discouraged from contacting the state elected or
25 appointed official.

26 **No report, finding of fact, or other written document may be**
27 **placed in the employee's personnel or employment file as a result**
28 **of, or pertaining to, the employee's contacting a state elected or**
29 **appointed official.**

30 ~~(d)~~ (e) An employer who violates this section commits a Class A
31 infraction."

32 Renumber all SECTIONS consecutively.
(Reference is to HB 1540 as printed February 9, 2001.)

Representative BUCK