



SENATE BILL 127: Protect Governmental Accountability.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	March 6, 2019
Introduced by:	Sens. Brown, Daniel, Hise	Prepared by:	Jessica Sammons*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *Senate Bill 127 would extend whistleblower protection to persons reporting improper government activity to legislative panels and to agents and employees of legislative panels designated to conduct inquiries on their behalf, and would require State officers, agents, agencies, and departments to provide information upon request to legislative panels and their agents and employees.*

[As introduced, this bill was identical to H225, as introduced by Reps. D. Hall, Davis, Stevens, which is currently in House State and Local Government.]

CURRENT LAW: Article 14 of Chapter 126 of the General Statutes expresses the policy of this State that State employees be encouraged to report evidence of the following types of improper activity by a State agency or State employee:

- (1) Violation of a State or federal law, rule or regulation;
- (2) Fraud;
- (3) Misappropriation of State resources;
- (4) Substantial and specific danger to the public health and safety; or
- (5) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

G.S. 126-84(a).

Article 14 also expresses the policy "that State employees be free of intimidation or harassment when reporting to public bodies about matters of public concern, including offering testimony to or testifying before appropriate legislative panels." G.S. 126-84(b).

In addition, Article 14 prohibits a head of any State department, agency or institution or other State employee exercising supervisory authority from discharging, threatening or otherwise discriminating against a State employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because the State employee reports or is about to report an improper government activity as described in the Act. G.S. 126-85.

G.S. 120-19 requires State officers, agents, agencies, and departments to provide all information within their possession, upon request, to any legislator or legislative committee or commission.

BILL ANALYSIS: **Section 1** of the bill would provide that it is the policy of this State that State employees be free of intimidation when providing statements or testimony on matters of public concern to agents and employees of legislative panels designated to conduct inquiries on their behalf.

Section 2 of the bill would extend whistleblower protection to State employees who report improper government activity to a legislative panel or an agent or employee of the legislative panel designated to conduct inquiries on behalf of the panel.

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Section 3 of the bill would require State officers, agents, agencies and departments to provide all information within their possession, upon request, to any legislative panel or an agent or employee of a legislative panel.

EFFECTIVE DATE: This act is effective when it becomes law.

**Bill Patterson, counsel to Senate Judiciary, substantially contributed to this summary.*