



SENATE BILL 127: Protect Governmental Accountability.

2019-2020 General Assembly

Committee:		Date:	July 22, 2019
Introduced by:		Prepared by:	Tawanda F. Artis
Analysis of:	S.L. 2019-80		Staff Attorney

OVERVIEW: *S.L. 2019-80 extends whistleblower protection to persons reporting improper government activity to agents and employees of legislative panels duly appointed by the President Pro Tempore and/or the Speaker of the House designated to conduct inquiries on their behalf, and requires State officers, agents, agencies, and departments to provide information upon request to legislative panels and their agents and employees.*

This act became effective July 4, 2019.

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).

Current law also provides "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 provides that it is the policy of this State that State employees be free of intimidation when providing statements or testimony to agents and employees of legislative panels duly appointed by the

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Senate Bill 127

Page 2

President Pro Tempore and/or the Speaker of the House designated to conduct inquiries on behalf of the legislative panels.

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

Section 3 requires State officers, agents, agencies and departments to provide all information and data within their possession, or ascertainable from their records, upon request, to any legislative panel or an agent or employee of a legislative panel.

Section 4 requires the head of each State agency, department, or institution to notify its employees of the changes made in this act when it becomes effective.

EFFECTIVE DATE: This act became effective July 4, 2019.

This summary was substantially contributed to by Bill Patterson, Staff Attorney.