

The House Committee on Judiciary offers the following substitute to HB 16:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-1-4 of the Official Code of Georgia Annotated, relating to
2 complaints or information from public employees as to fraud, waste, and abuse in state
3 programs and operations, so as to change certain definitions to include a broader list of
4 employees, officials, and administrators who may be protected by the provisions of this Code
5 section; to change the definition of "retaliate"; to change provisions relating to complaints
6 or information from public employees as to fraud, waste, and abuse in state programs and
7 operations; to provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 45-1-4 of the Official Code of Georgia Annotated, relating to complaints or
11 information from public employees as to fraud, waste, and abuse in state programs and
12 operations, is amended by revising paragraphs (3), (4), and (5) of subsection (a) as follows:

13 "(3) 'Public employee' means any person who is employed by the executive, judicial, or
14 legislative branch of the state or by any other department, board, bureau, commission,
15 authority, or other agency of the state. This term also includes all employees, officials,
16 and administrators of any agency covered under the State Merit System of Personnel
17 Administration and any local or regional governmental entity that receives any funds
18 from the State of Georgia or any state agency.

19 (4) 'Public employer' means the executive, judicial, or legislative branch of the state ~~or~~
20 any other department, board, bureau, commission, authority, or other agency of the state
21 which employs or appoints a public employee or public employees; or any local or
22 regional governmental entity that receives any funds from the State of Georgia or any
23 state agency.

24 (5) 'Retaliate' or 'retaliation' refers to the discharge, transfer, suspension, or demotion by
25 a public employer of a public employee or any other adverse employment action taken
26 by a public employer against a public employee in the terms or conditions of employment

1 for disclosing a violation of or noncompliance with a law, rule, or regulation to either a
2 supervisor or ~~state~~ government agency."

3 **SECTION 2.**

4 Said Code section is further amended by revising subsection (b) as follows:

5 "(b) A public employer may receive and investigate complaints or information from any
6 public employee concerning the possible existence of any activity constituting fraud, waste,
7 and abuse in or relating to any ~~state~~ programs ~~and~~ or operations under the jurisdiction of
8 such public employer or of any noncompliance with any law, rule, or regulation relating
9 to any programs or operations under the jurisdiction of such public employer."

10 **SECTION 3.**

11 All laws and parts of laws in conflict with this Act are repealed.