

JAN 25 2023

A BILL FOR AN ACT

RELATING TO THE WHISTLEBLOWERS' PROTECTION ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to provide
2 protection for public employees who report information on the
3 commission of fraud by other public employees or public bodies.

4 SECTION 2. Section 378-61, Hawaii Revised Statutes, is
5 amended by adding a new definition to be appropriately inserted
6 and to read as follows:

7 "Public employee" means a person employed by the State or
8 a political subdivision of the State."

9 SECTION 3. Section 378-62, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§378-62 Discharge of, threats to, or discrimination
12 against employee for reporting violations of law[-]; public
13 employee provision. An employer shall not discharge, threaten,
14 or otherwise discriminate against an employee regarding the
15 employee's compensation, terms, conditions, location, or
16 privileges of employment because:



1 (1) The employee, or a person acting on behalf of the
2 employee, reports or is about to report to the
3 employer, or reports or is about to report to a public
4 body, verbally or in writing, a violation or a
5 suspected violation of:

6 (A) A law, rule, ordinance, or regulation, adopted
7 pursuant to law of this State, a political
8 subdivision of this State, or the United States;
9 or

10 (B) A contract executed by the State, a political
11 subdivision of the State, or the United States,
12 unless the employee knows that the report is false;
13 [~~or~~]

14 (2) An employee is requested by a public body to
15 participate in an investigation, hearing, or inquiry
16 held by that public body, or a court action[~~-~~]; or


17 (3) The public employee, or a person acting on behalf of
18 the public employee, reports or is about to report to
19 another public employee, a supervising employee, or a
20 public body, verbally or in writing, the commission of
21 fraud by another public employee or public body."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

7
INTRODUCED BY: 



S.B. NO. 1449

Report Title:

Whistleblowers' Protection Act; Public Employees

Description:

Amends the State Whistleblowers' Protection Act to include protection for public employees reporting the commission of fraud by other public employees or public bodies.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

