

HOUSE BILL NO. 208

INTRODUCED BY K. WAGONER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO ETHICS AND STANDARDS OF CONDUCT FOR PUBLIC OFFICIALS AND PUBLIC EMPLOYEES; PROVIDING THAT IT IS UNLAWFUL TO RETALIATE AGAINST A PERSON WHO ALLEGES WASTE, FRAUD, OR ABUSE; AND PROVIDING A PENALTY."

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

NEW SECTION. **Section 1. Retaliation unlawful -- penalty.** (1) It is unlawful for a state agency, state officer, public officer, or public employee to retaliate against, or to condone or threaten retaliation against, an individual who alleges waste, fraud, or abuse.

(2) For purposes of this section, "retaliate" means to take any of the following actions against an individual because the individual alleged waste, fraud, or abuse:

- (a) terminate employment;
- (b) demote;
- (c) deny overtime, benefits, or promotion;
- (d) discipline;
- (e) decline to hire or rehire;
- (f) threaten or intimidate;
- (g) reassign to a position that hurts future career prospects; or
- (h) reduce pay, work hours, or benefits.

(3) An individual convicted of a violation of this section shall be imprisoned for a term not to exceed 5 years or fined an amount not to exceed \$20,000, or both.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 2, chapter 2, part 1, and the provisions of Title 2, chapter 2, part 1, apply to [section 1].

- END -

