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2 89th General Assembly
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4

A Bill

HOUSE BILL 1043

5 By: Representatives Bell, Alexander, D. Altes, Ballinger, Biviano, Bragg, Branscum, J. Burris, Clemmer,
6 Collins, Cozart, Dale, Deffenbaugh, C. Douglas, D. Douglas, Eubanks, Farrer, Fite, Gillam, Gossage,
7 Hammer, Harris, Hickerson, House, Hutchison, Kerr, Lea, Linck, Lowery, Mayberry, D. Meeks, S.
8 Meeks, Neal, Rice, Scott, Slinkard, Westerman, Womack
9 By: Senator J. Woods

For An Act To Be Entitled

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12 AN ACT TO AMEND ARKANSAS LAW TO PERMIT A REWARD TO A
13 STATE EMPLOYEE WHEN A REPORT UNDER THE ARKANSAS
14 WHISTLE-BLOWER ACT RESULTS IN A SAVINGS OF STATE
15 FUNDS; AND FOR OTHER PURPOSES.
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Subtitle

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19 TO AMEND ARKANSAS LAW TO PERMIT A REWARD
20 TO A STATE EMPLOYEE WHEN A REPORT UNDER
21 THE ARKANSAS WHISTLE-BLOWER ACT RESULTS
22 IN A SAVINGS OF STATE FUNDS.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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27 SECTION 1. Arkansas Code § 21-1-602(4) is amended to read as follows:

28 (4)(A) "Public employee" means a person who performs a full or
29 part-time service for wages, salary, or other remuneration for a public
30 employer~~+~~.

31 (B) "Public employee" includes without limitation a state
32 employee under § 21-1-610.
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34 SECTION 2. Arkansas Code Title 21, Chapter 1, Subchapter 6, is amended
35 to add an additional section to read as follows:

36 21-1-610. Reward to state employee when report of waste or violation



1 results in savings of state funds.

2 (a) As used in this section:

3 (1) "State employee" means a person who performs a full or part-
4 time service for wages, salary, or other remuneration for a state employer;
5 and

6 (2) "State employer" means:

7 (A) An agency, department, board, commission, division,
8 office, bureau, council, authority, or other instrumentality of the State of
9 Arkansas, including without limitation the:

10 (i) Offices of the various Arkansas elected
11 constitutional officers; and

12 (ii) General Assembly and its agencies, bureaus, and
13 divisions; or

14 (B) A state-supported college, university, technical
15 college, community college, or other institution of higher education or
16 department, division, or agency of a state institution of higher education.

17 (b) A state employee may receive a reward as provided in this section
18 if a savings in state funds results from a report under § 21-1-603 to an
19 appropriate authority under this subchapter.

20 (c)(1)(A) Except as provided in subsection (d) of this section, upon
21 learning that a report under § 21-1-603 has resulted in a savings of state
22 funds, an appropriate authority shall report to the Performance Evaluation
23 and Expenditure Review Subcommittee of the Legislative Council or, if the
24 General Assembly is in session, the Review/PEER Subcommittee of the Joint
25 Budget Committee:

26 (i) The name of the state employee making the
27 report; and

28 (ii) The amount of state funds saved as a result of
29 the report.

30 (B) The report shall be filed within thirty (30) days of
31 the end of the first fiscal year in which the changes prompted by the report
32 were implemented.

33 (2) After a review of the matter, the Performance Evaluation and
34 Expenditure Review Subcommittee of the Legislative Council or the Review/PEER
35 Subcommittee of the Joint Budget Committee may recommend to the Joint Budget
36 Committee that the state employee receive a reward in an amount equal to ten

1 percent (10%) of the amount of state funds saved during the first fiscal year
2 the changes prompted by the report were implemented.

3 (3) If as a result of its review the Performance Evaluation and
4 Expenditure Review Subcommittee of the Legislative Council or the Review/PEER
5 Subcommittee of the Joint Budget Committee determines that the amount of
6 state funds saved as a result of the report by the state employee differs
7 from the amount reported under subdivision (c)(1) of this section, the
8 recommended reward shall be equal to ten percent (10%) of the amount of state
9 funds saved during the first fiscal year the changes prompted by the report
10 were implemented as determined by the Performance Evaluation and Expenditure
11 Review Subcommittee of the Legislative Council or the Review/PEER
12 Subcommittee of the Joint Budget Committee.

13 (d)(1) A state employee wishing to maintain any confidentiality
14 afforded under § 21-1-607 or otherwise forego a reward under this section may
15 request to the appropriate authority that a report to the Performance
16 Evaluation and Expenditure Review Subcommittee of the Legislative Council or
17 the Review/PEER Subcommittee of the Joint Budget Committee not include the
18 name of the state employee making the report.

19 (2) A state employee making a request under subdivision (c)(1)
20 of this section shall not receive a reward under this section.

21 (e)(1) If a state employee who made a report under § 21-1-603 believes
22 that a savings of public funds resulted from his or her report and the matter
23 was not reported to the Performance Evaluation and Expenditure Review
24 Subcommittee of the Legislative Council or the Review/PEER Subcommittee of
25 the Joint Budget Committee, he or she may present a written request to the
26 Performance Evaluation and Expenditure Review Subcommittee of the Legislative
27 Council or the Review/PEER Subcommittee of the Joint Budget Committee that
28 the matter be reviewed.

29 (2) If a review under subdivision (e)(1) of this section
30 indicates that a savings of state funds resulted from a report under § 21-1-
31 603, the Performance Evaluation and Expenditure Review Subcommittee of the
32 Legislative Council or the Review/PEER Subcommittee of the Joint Budget
33 Committee may recommend to the Joint Budget Committee that the state employee
34 receive a reward in an amount equal to ten percent (10%) of the amount of
35 public funds saved during the first fiscal year the changes prompted by the
36 report were implemented as determined by the Performance Evaluation and

1 Expenditure Review Subcommittee of the Legislative Council or the Review/PEER
2 Subcommittee of the Joint Budget Committee.

3 (3) A written request by a state employee under this section
4 shall be considered a communication of waste or a violation to an appropriate
5 authority under this subchapter so long as the written request is made in
6 good faith under § 21-1-603.

7 (f) If a reward is appropriated to a state employer for the benefit of
8 a state employee, it shall be paid from the funds available to the state
9 employer.

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