

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

# A Bill

HOUSE BILL 2183

5 By: Representative Lowery  
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## For An Act To Be Entitled

8 AN ACT TO AMEND PROVISIONS OF THE ARKANSAS WHISTLE-  
9 BLOWER ACT; TO AMEND THE DEFINITION OF  
10 "WHISTLEBLOWER"; AND FOR OTHER PURPOSES.  
11

## Subtitle

12  
13 TO AMEND PROVISIONS OF THE ARKANSAS  
14 WHISTLE-BLOWER ACT; AND TO AMEND THE  
15 DEFINITION OF "WHISTLEBLOWER".  
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 21-1-602(2), concerning definitions  
22 pertaining to the Arkansas Whistle-Blower Act, is amended to read as follows:

23 (2)(A) "Appropriate authority" means+ the office of the Attorney  
24 General;

25 ~~(i) A state, county, or municipal government~~  
26 ~~department, agency, or organization having jurisdiction over criminal law~~  
27 ~~enforcement, regulatory violations, professional conduct or ethics, or waste;~~  
28 ~~or~~

29 ~~(ii) A member, officer, agent, investigator,~~  
30 ~~auditor, representative, or supervisory employee of the body, agency, or~~  
31 ~~organization.~~

32 ~~(B) "Appropriate authority" includes, but is not limited~~  
33 ~~to, the office of the Attorney General, the office of the Auditor of State,~~  
34 ~~the Arkansas Ethics Commission, the Legislative Joint Auditing Committee and~~  
35 ~~Arkansas Legislative Audit, and the offices of the various prosecuting~~  
36 ~~attorneys having the power and duty to investigate criminal law enforcement,~~



1 ~~regulatory violations, professional conduct or ethics, or waste;~~

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3 SECTION 2. Arkansas Code § 21-1-602(8), concerning definitions  
4 pertaining to the Arkansas Whistle-Blower Act, is amended to read as follows:

5 (8) "Whistle-blower" means a person who witnesses or has  
6 evidence of a waste or violation while employed with a public employer and  
7 who communicates in good faith or testifies to the waste or violation,  
8 verbally or in writing, to ~~one of the employee's superiors, to an agent of~~  
9 ~~the public employer, or to an~~ the appropriate authority, provided that the  
10 communication is made ~~prior to~~ before any adverse action by the employer.

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12 SECTION 3. Arkansas Code § 21-1-610(b), concerning the reward to a  
13 state employee when communication of waste or violation results in savings of  
14 state funds, is amended to read as follows:

15 (b) A state employee making a communication under § 21-1-603 shall be  
16 eligible to receive a reward in an amount equal to ~~ten percent (10%)~~ twenty  
17 percent (20%) of any savings in state funds attributable to changes made  
18 based on a communication under § 21-1-603.

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20 SECTION 4. Arkansas Code § 21-1-610(d)(2)(A)(iii), concerning the  
21 reward to a state employee when communication of waste or violation results  
22 in savings of state funds, is amended to read as follows:

23 (iii) The amount of the reward for which the state  
24 employee is eligible. The amount of the reward shall be equal to ~~ten percent~~  
25 ~~(10%)~~ twenty percent (20%) of the total savings in state funds reported under  
26 subdivision (d)(2)(A)(i) of this section. If the state employer concludes  
27 that the state employee is not eligible for a reward, the state employer  
28 shall state the reasons for that determination in the report.