

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

July 6, 2006  
Date

Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

HB06S-1017 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 19, strike "ONE" and substitute "FIVE";
- 2 line 20, strike "FIVE" and substitute "TWENTY-FIVE";
- 3 line 21, after the period, add "THE MONEYS COLLECTED PURSUANT TO THIS
- 4 SUBSECTION (4) SHALL BE DEPOSITED IN THE EMPLOYMENT VERIFICATION
- 5 CASH FUND, WHICH IS HEREBY CREATED. THE MONEYS IN THE FUND SHALL
- 6 BE APPROPRIATED TO THE DEPARTMENT OF LABOR AND EMPLOYMENT FOR
- 7 THE PURPOSE OF IMPLEMENTING, ADMINISTERING, AND ENFORCING THIS
- 8 SECTION. THE MONEYS IN THE FUND SHALL REMAIN IN THE FUND AND NOT
- 9 REVERT TO THE GENERAL FUND OR ANY OTHER FUND AT THE END OF ANY
- 10 FISCAL YEAR.";
- 11 after line 21, insert the following:
  - 12 "(5) (a) NO EMPLOYER SHALL INITIATE OR ADMINISTER ANY
  - 13 DISCIPLINARY ACTION AGAINST AN EMPLOYEE ON ACCOUNT OF THE
  - 14 EMPLOYEE'S DISCLOSURE OF INFORMATION. THIS PARAGRAPH (a) SHALL
  - 15 NOT APPLY TO AN EMPLOYEE WHO DISCLOSES INFORMATION THAT THE
  - 16 EMPLOYEE KNOWS TO BE FALSE OR WHO DISCLOSES INFORMATION WITH
  - 17 DISREGARD FOR THE TRUTH OR FALSITY THEREOF OR AN EMPLOYEE WHO
  - 18 DISCLOSES INFORMATION WHICH IS CONFIDENTIAL UNDER ANY OTHER
  - 19 PROVISION OF LAW.
  - 20 (b) AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE

1 REQUIRES:

2 (I) "DISCIPLINARY ACTION" MEANS ANY DIRECT OR INDIRECT FORM  
3 OF DISCIPLINE OR PENALTY, INCLUDING, BUT NOT LIMITED TO, DISMISSAL,  
4 DEMOTION, TRANSFER, REASSIGNMENT, SUSPENSION, CORRECTIVE ACTION,  
5 REPRIMAND, ADMONISHMENT, UNSATISFACTORY OR BELOW STANDARD  
6 PERFORMANCE EVALUATION, REDUCTION IN FORCE, OR WITHHOLDING OF  
7 WORK, OR THE THREAT OF ANY SUCH DISCIPLINE OR PENALTY.

8 (II) "DISCLOSURE OF INFORMATION" MEANS A REPORT TO THE  
9 DEPARTMENT OF LABOR AND EMPLOYMENT PURSUANT TO SUBSECTION (3)  
10 OF THIS SECTION THAT AN EMPLOYER HAS NOT COMPLIED WITH  
11 SUBSECTION (1) THIS SECTION."

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