~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 14, 2010

**S. 1177**

Introduced by Senators Fair, Reese, Cromer, Campbell, Coleman, Shoopman, Williams and Rose

S. Printed 4/14/10--S.

Read the first time February 16, 2010.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1177) to amend Section 8‑27‑10 of the 1976 Code, relating to the definition of a report as used in the whistleblower statute, to provide that testimony given to, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 27 of Title 8 of the 1976 Code is amended by adding:

“Section 8‑27‑35. An employee who gives testimony alleging waste or wrongdoing to any standing committee, subcommittee of a standing committee, or study committee of the Senate, or the House of Representatives, or a joint committee of the General Assembly is given the protections of this chapter.”

SECTION 2. Section 8‑27‑40 of the 1976 Code is amended to read:

“Section 8‑27‑40. Notwithstanding the filing of a report pursuant to this chapter, a public body may dismiss, suspend, demote, or decrease the compensation of an employee for causes independent of either the filing of a protected report as described in Section 8‑27‑20 or for giving testimony as described in Section 8‑27‑35.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

GEORGE E. CAMPSEN III for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no direct impact to the General Fund of the State or federal and/or other funds.

*Approved By:*

Harry Bell

Office of State Budget

**A** **BILL**

TO AMEND SECTION 8‑27‑10 OF THE 1976 CODE, RELATING TO THE DEFINITION OF A REPORT AS USED IN THE WHISTLEBLOWER STATUTE, TO PROVIDE THAT TESTIMONY GIVEN TO A STANDING COMMITTEE, SUBCOMMITTEE OF A STANDING COMMITTEE, OR A STUDY COMMITTEE OF THE SENATE OR HOUSE OF REPRESENTATIVES IS ENTITLED TO THE PROTECTIONS OF THE WHISTLEBLOWER STATUTE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 8‑27‑10(4) of the 1976 Code is amended to read:

“(4) ‘Report’ means:

(a) a written document alleging waste or wrongdoing that contains the following information:

(~~a~~ i) the date of disclosure;

(~~b~~ ii) the name of the employee making the report; and

(~~c~~ iii) the nature of the wrongdoing and the date or range of dates on which the wrongdoing allegedly occurred. A report must be made within sixty days of the date the reporting employee first learns of the alleged wrongdoing; or

(b) sworn testimony regarding wrongdoing, regardless of when the wrongdoing allegedly occurred, given to any standing committee, subcommittee of a standing committee, or study committee of the Senate or the House of Representatives.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑