Ohio Legislative Service Commission

Bill Analysis

Amber Hardesty

H.B. 66

129th General Assembly
(As Introduced)

Reps. McGregor, Beck, J. Adams, Brenner, Ruhl, Huffman, Derickson, Blessing, Dovilla, Kozlowski, Grossman, Amstutz, Combs, Stebelton, Hackett, Hottinger, Hollington, Pillich, Blair, Maag

BILL SUMMARY

- Requires the Auditor of State to establish a fraud-reporting system for residents and public employees to anonymously report fraud and misuse of public funds by public offices.
- Extends the whistle-blower protections against retaliatory firing or other disciplinary action to state employees who file a complaint with the Auditor of State's fraud-reporting system.

CONTENT AND OPERATION

Fraud-reporting system

The bill requires the Auditor of State to establish and maintain a system for the reporting of fraud, including the misuse and misappropriation of public money, by any public office or public official. The system must allow Ohio residents and public employees to make anonymous complaints through a toll-free telephone number, the Auditor of State's web site, or the U.S. mail to the Auditor of State's office. The Auditor of State must review all complaints in a timely manner. Upon receipt, the complaints are public records under the Public Records Act unless the act or another statute specifies an exemption under which the complaint is confidential.

A public office must provide information about the fraud-reporting system and the means of reporting fraud to each new employee at the time of employment. Each new employee must confirm receipt of the information within 30 days after beginning employment. The Auditor of State must provide a model form on the Auditor of State's

web site to be printed and used by new public employees to sign and verify their receipt of this information. The Auditor of State must confirm, when conducting an audit of a public office, that the new employees have been provided the required information.

Additionally, on the bill's effective date, each public office must make all of its employees aware of the fraud-reporting system.[1]

Whistle-blower protection for reporting

The bill extends the current whistle-blower protections applicable to state employees to those state employees who file a complaint with the Auditor of State's fraud-reporting system. Under this provision, if a classified or unclassified state employee becomes aware in the course of employment of a violation of state or federal statutes, rules, or regulations or of the misuse of public resources, and reports it to a supervisor, appointing authority, or the office of internal auditing, and under the bill to the Auditor of State's fraud-reporting system, the employee is protected against specified retaliatory or disciplinary actions by an officer or other employee. If disciplinary or retaliatory action is taken against an employee making a report or filing a complaint, the employee is afforded an opportunity to file an appeal with the State Personnel Board of Review.[2]

HISTORY

ACTION	DATE
Introduced	02-01-11

H0066-I-129/jc

[1] R.C. 117.103.

[2] R.C. 124.341.