

HOUSE BILL NO. 2698

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE UNSICKER.

5521H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to government employees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 105, RSMo, is amended by adding thereto one new section, to be
2 known as section 105.2040, to read as follows:

**105.2040. 1. As used in this section, the term "government employee" shall
2 mean any person whose salary or wages are paid with federal, state, or local taxpayer
3 money.**

**4 2. No government employee shall, in the course of his or her duties, willfully
5 provide false information within the scope of that employee's duties.**

**6 3. The office of administration shall establish an online system for reporting
7 alleged instances of a government employee violating subsection 2 of this section. All
8 governmental entities in this state shall utilize this system and shall provide a link to the
9 system on their websites. The system shall, at a minimum, request the following
10 information of any person filing a complaint:**

11 (1) Name and contact information of the person filing the complaint;

12 (2) Name of the government employee;

13 (3) Date of the alleged incident; and

14 (4) A description or summary of each incident or pattern of related incidents.

**15 4. When a complaint is filed, it shall be immediately referred for investigation to
16 the government employee's department director or his or her designee. The department
17 director shall review the complaint and may also request more information from the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 person filing the complaint, the employee, and the employee's supervisor. The
19 department director or his or her designee shall provide a report detailing the
20 investigation to the office of administration, the government employee who is the subject
21 of the complaint, and the person filing the complaint.

22 5. If the person filing the complaint does not agree with the results of the
23 investigation in subsection 4 of this section, he or she may request that the office of
24 administration conduct a second investigation. The office of administration shall review
25 the initial investigation report and may also request more information from the person
26 filing the complaint, the employee, and the employee's supervisor. The office of
27 administration shall complete such investigation within thirty days of the complaint.
28 The office of administration shall provide a report detailing the investigation to the
29 department director, the government employee who is the subject of the complaint, and
30 the person filing the complaint.

31 6. If a government employee's supervisor knows that the employee has violated
32 subsection 2 of this section, the supervisor shall file a complaint in the same manner as
33 described in subsection 3 of this section.

34 7. A finding of a violation of subsection 2 of this section by a government
35 employee shall be reported to the person filing the initial complaint, the legislature, the
36 governor, and the office of administration and shall be grounds for termination.

37 8. Any information gathered or produced under this section shall be a public
38 record under chapter 610. The office of administration shall be the custodian of such
39 records.

40 9. The office of administration shall create an annual report based on findings
41 under this section that shall be submitted to the general assembly and the governor and
42 made available to the public before December thirty-first each year.

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