

HOUSE BILL NO. 607

INTRODUCED BY K. WAGONER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO ETHICS,
5 STANDARDS OF CONDUCT, AND NEPOTISM FOR PUBLIC OFFICIALS AND PUBLIC EMPLOYEES;
6 ~~PROVIDING A STATEMENT OF LEGISLATIVE INTENT AND POLICY; REVISING DEFINITIONS; REVISING~~
7 ~~ENFORCEMENT PROVISIONS; TRANSFERRING ENFORCEMENT AUTHORITY FROM THE~~
8 ~~COMMISSIONER OF POLITICAL PRACTICES TO THE DEPARTMENT OF JUSTICE; REVISING DISCLOSURE~~
9 ~~OF TWO SEPARATE SALARIES FROM PUBLIC EMPLOYMENT; AUTHORIZING THE DEPARTMENT OF~~
10 ~~JUSTICE TO ADOPT RULES; AND~~ PROVIDING THAT IT IS UNLAWFUL TO RETALIATE AGAINST A PERSON
11 WHO FILES A COMPLAINT; ~~REQUIRING DISCIPLINARY ACTION FOR VIOLATIONS; REVISING CIVIL AND~~
12 ~~CRIMINAL PENALTIES; PROVIDING THAT PUBLIC RETIREMENT BENEFIT PAYMENTS MAY BE USED TO~~
13 ~~PAY FINES AND RESTITUTION; REQUIRING TERMINATION FROM EMPLOYMENT OR REMOVAL FROM~~
14 ~~OFFICE FOR VIOLATIONS; REQUIRING REPORTING BY THE DEPARTMENT OF JUSTICE AND CLERKS~~
15 ~~OF DISTRICT COURT TO THE LEGISLATIVE SERVICES DIVISION; REQUIRING THE LEGISLATIVE~~
16 ~~SERVICES DIVISION TO PROVIDE A REPORT TO LEGISLATORS; REQUIRING COMPLAINTS~~
17 ~~CONCERNING A LEGISLATOR TO BE REFERRED TO A LEGISLATIVE ETHICS COMMITTEE; REPEALING~~
18 ~~THE IMMUNITY OF THE STATE, AN OFFICER, EMPLOYEE, OR AGENT OF THE STATE, OR A MEMBER OF~~
19 ~~THE MONTANA NATIONAL GUARD FROM CIVIL LIABILITY FOR DAMAGES THAT RESULT FROM AN~~
20 ~~ACTION THAT OCCURS WHILE THE INDIVIDUAL IS CONSIDERED AN EMPLOYEE OF THE FEDERAL~~
21 ~~GOVERNMENT; AMENDING SECTIONS 2-2-101, 2-2-102, 2-2-104, 2-2-136, 2-2-144, AND 2-2-304, MCA; AND~~
22 ~~REPEALING SECTION 10-1-111, MCA."~~

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24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

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28 NEW SECTION. **Section 1. Retaliation unlawful.** (1) It is unlawful for a state agency, state officer,
29 public officer, or public employee to retaliate against an individual who files a complaint pursuant to 2-2-136 or
30 to condone or threaten retaliation.



1 (2) For purposes of this section, "retaliate" means to take any of the following actions against an
 2 individual because the individual filed a complaint pursuant to 2-2-136:

- 3 (a) terminate employment;
 4 (b) demote;
 5 (c) deny overtime, benefits, or promotion;
 6 (d) discipline;
 7 (e) decline to hire or rehire;
 8 (f) threaten or intimidate;
 9 (g) reassign to a position that hurts future career prospects; or
 10 (h) reduce pay, work hours, or benefits.

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 12 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
 13 integral part of Title 2, chapter 2, part 1, and the provisions of Title 2, chapter 2, part 1, apply to [section 1].

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