

# SB3454



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB3454

Introduced 2/10/2010, by Sen. Bill Brady

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Whistleblower Hotline Act. Requires the Auditor General to establish a 24-hour statewide hotline to report suspected misconduct, malfeasance, misfeasance, nonfeasance, or violations of rules, regulations, or laws by State officials or employees. Requires the Auditor General to refer allegations to appropriate law enforcement, investigatory, or prosecutorial entities. Allegations may not be anonymous. Provides for promotion of the hotline. Authorizes rewards, subject to appropriation, and provides for confidentiality. Effective immediately.

LRB096 17778 RCE 33145 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning whistleblowers.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Whistleblower Hotline Act.

6 Section 5. Hotline established. The Auditor General shall  
7 establish and maintain a 24-hour statewide toll-free hotline.  
8 The purpose of the hotline is to allow any persons to report  
9 suspected misconduct, malfeasance, misfeasance, nonfeasance,  
10 or violations of rules, regulations, or laws by State officials  
11 or employees.

12 Section 10. Hotline information. The Hotline number shall  
13 be prominently posted at all State offices and facilities. All  
14 State officers and agencies shall cooperate with the Auditor  
15 General to promote and market the availability of the hotline  
16 and its purpose. All State informational brochures must carry a  
17 description of the hotline with the toll-free number.

18 Section 15. Allegations. Allegations may not be made  
19 anonymously. Upon receipt of an allegation, the Auditor General  
20 shall promptly refer the allegation to an appropriate venue for  
21 further investigation. Referrals may be made to a United States

1 Attorney, a State's Attorney, the Attorney General, an  
2 Executive Inspector General, the Legislative Inspector  
3 General, or any other appropriate law enforcement,  
4 investigatory, or prosecutorial entity.

5 Section 20. Rewards. Subject to appropriation and based  
6 upon standard evaluation and determination procedures  
7 established by rule, the Auditor General shall pay a reward to  
8 whistleblowers. For a successful criminal conviction, the  
9 reward shall be the greater of \$2,500 or the amount equal to  
10 half of the criminal fine imposed. In the case of a successful  
11 resolution of an allegation that does not require criminal  
12 prosecution, the Auditor General may determine an appropriate  
13 reward amount based upon standard evaluation and determination  
14 procedures established by rule.

15 Section 25. Confidentiality. The identity of any  
16 individual providing information or reporting any possible or  
17 alleged misconduct, malfeasance, misfeasance, nonfeasance, or  
18 violations of rules, regulations, or laws to the hotline shall  
19 be kept confidential and shall not be disclosed without the  
20 consent of that individual. The confidentiality granted by this  
21 Section does not preclude the disclosure of the identity of a  
22 person in any capacity other than as the source of an  
23 allegation.

1           Section 30. Rules. The Auditor General shall adopt rules  
2           for the implementation and administration of this Act. Those  
3           rules shall include, but need not be limited to, procedures for  
4           evaluating allegations, for delegating the investigation of  
5           allegations, and for evaluation and determination of rewards.

6           Section 99. Effective date. This Act takes effect upon  
7           becoming law.