

HOUSE No. 3113

The Commonwealth of Massachusetts

PRESENTED BY:

Leonard Mirra

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the reporting of certain violations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>1/20/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/2/2017</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>	<i>1/26/2017</i>

HOUSE No. 3113

By Mr. Mirra of West Newbury, a petition (accompanied by bill, House, No. 3113) of Leonard Mirra, Thomas J. Calter and James R. Miceli relative to the reporting of certain violations and the protection of whistleblowers, so-called. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the reporting of certain violations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 25 of chapter 23 of the General Laws, as appearing in the 2014 Official Edition,
2 is hereby amended by inserting the following subsection:—

3 (e) An individual who reports a suspected violation of sections 20 through 23 of chapter
4 40B, chapter 40R, section 2 of chapter 62B, sections 26 and 27, and 148 and 148C of chapter
5 149, sections 13 and 14 of chapter 151A, section 25A of chapter 152, or section 18 of chapter
6 159, to the council or any other authority charged with enforcement, which substantially
7 contributes to the prosecution of a violation thereof, shall receive 10 per cent of the proceeds
8 recovered and collected in the action or in settlement of the claim; provided further, that nothing
9 in this subsection shall reduce an award of wages owed to an employee pursuant to section 148
10 of chapter 149. Neither the council nor any enforcement agency shall disclose any information,
11 including information provided by a whistleblower, which could reasonably be expected to

12 reveal the identity of a whistleblower, unless and until required to be disclosed to a defendant or
13 respondent in connection with a public proceeding.

14 No employee shall be penalized by an employer in any way as a result of any action on
15 the part of an employee to seek his or her rights or reporting a violation under this section. Any
16 employer who discharges or in any other manner discriminates against any employee because
17 such employee has made a complaint to the attorney general or any other person, or assists the
18 attorney general in any investigation under this chapter, or has instituted, or caused to be
19 instituted any proceeding under or related to this section, or has testified or is about to testify in
20 any such proceedings, shall have violated this section and shall be punished or shall be subject to
21 a civil citation or order as provided in section 27C or Chapter 149.