

SENATE BILL 95

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P4

2002 Regular Session  
2lr0020

(PRE-FILED)

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By: **Chairman, Finance Committee (Departmental - University System of Maryland)**

Requested: October 19, 2001

Introduced and read first time: January 9, 2002

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Whistleblower Law - University System of Maryland and Morgan**  
3 **State University**

4 FOR the purpose of authorizing certain employees of the University System of  
5 Maryland and Morgan State University who seek relief for a violation under the  
6 Maryland Whistleblower Law to file a complaint either under the provisions of  
7 the Maryland Whistleblower Law or under certain grievance procedures; and  
8 generally relating to the Maryland Whistleblower Law.

9 BY repealing and reenacting, without amendments,  
10 Article - State Personnel and Pensions  
11 Section 5-305  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 2001 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - State Personnel and Pensions  
16 Section 5-307  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 2001 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - State Personnel and Pensions**

22 5-305.

23 Subject to the limitations of § 5-306 of this subtitle, a supervisor, appointing  
24 authority, or the head of a principal unit may not take or refuse to take any personnel  
25 action as a reprisal against an employee who:

1 (1) discloses information that the employee reasonably believes  
2 evidences:

3 (i) an abuse of authority, gross mismanagement, or gross waste of  
4 money;

5 (ii) a substantial and specific danger to public health or safety; or

6 (iii) a violation of law; or

7 (2) following a disclosure under item (1) of this section seeks a remedy  
8 provided under this subtitle or any other law or policy governing the employee's unit.  
9 5-307.

10 (A) An employee in the State Personnel Management System who seeks relief  
11 for a violation of § 5-305 of this subtitle may elect to file:

12 (1) a complaint under § 5-309 of this subtitle; or

13 (2) a grievance under Title 12 of this article.

14 (B) AN EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND WHO IS  
15 ELIGIBLE TO FILE A GRIEVANCE UNDER TITLE 13 OF THE EDUCATION ARTICLE AND  
16 SEEKS RELIEF FOR A VIOLATION OF § 5-305 OF THIS SUBTITLE MAY ELECT TO FILE:

17 (1) A COMPLAINT UNDER § 5-309 OF THIS SUBTITLE; OR

18 (2) A GRIEVANCE UNDER TITLE 13 OF THE EDUCATION ARTICLE.

19 (C) AN EMPLOYEE OF MORGAN STATE UNIVERSITY WHO IS ELIGIBLE TO FILE  
20 A GRIEVANCE UNDER TITLE 14 OF THE EDUCATION ARTICLE AND SEEKS RELIEF FOR  
21 A VIOLATION OF § 5-305 OF THIS SUBTITLE MAY ELECT TO FILE:

22 (1) A COMPLAINT UNDER § 5-309 OF THIS SUBTITLE; OR

23 (2) A GRIEVANCE UNDER TITLE 14 OF THE EDUCATION ARTICLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect on October 1, 2002.