AN ACT to amend 230.81 (1) (b); and to repeal and recreate 230.80 (3) and
895.65 (1) (b) of the statutes; relating to: covering all state employees under
laws prohibiting retaliatory action by a governmental employer against
employees for disclosing certain information.

Analysis by the Legislative Reference Bureau

Currently, a state governmental body is prohibited from taking retaliatory
action against an employee for disclosing information that the employee reasonably
believes demonstrates a violation of state or federal law or that an employee believes
demonstrates mismanagement or abuse of authority in government, a substantial
waste of public funds, or a danger to public health and safety. This law is commonly
known as the state “Whistleblower Law” and applies to all state employees other
than individuals employed by the legislature, a legislative service agency, the courts,
or the office of the governor and those individuals whose immediate supervisors
occupy certain senior executive positions in state government and the University of
Wisconsin System.

This bill provides that all state employees are covered under the state
“Whistleblower Law.”

The people of the state of Wisconsin, represented in senate and assembly, do
enact as follows:
SECTION 1. 230.80 (3) of the statutes is repealed and recreated to read:

230.80 (3) “Employee” means any person employed by any governmental unit.

SECTION 2. 230.81 (1) (b) of the statutes, as affected by 2003 Wisconsin Act 33, is amended to read:

230.81 (1) (b) After asking the division of equal rights which governmental unit is appropriate to receive the information, disclose the information in writing only to the governmental unit that the division of equal rights determines is appropriate. The division of equal rights may not designate the department of justice, or the courts, the legislature or a service agency under subch. IV of ch. 13 as an appropriate governmental unit to receive information. Each appropriate governmental unit shall designate an employee to receive information under this section.

SECTION 3. 895.65 (1) (b) of the statutes is repealed and recreated to read:

895.65 (1) (b) “Employee” means any person employed by any governmental unit.

(END)