



Sen. Ram Villivalam

Filed: 3/8/2024

10300SB3468sam001

LRB103 39357 JRC 70759 a

1 AMENDMENT TO SENATE BILL 3468

2 AMENDMENT NO. _____. Amend Senate Bill 3468 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Whistleblower Act is amended by changing
5 Sections 5, 10, 15, and 20 as follows:

6 (740 ILCS 174/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Employer" means: an individual, sole proprietorship,
9 partnership, firm, corporation, association, and any other
10 entity that has one or more employees in this State, including
11 a political subdivision of the State; a unit of local
12 government; a school district, combination of school
13 districts, or governing body of a joint agreement of any type
14 formed by two or more school districts; a community college
15 district, State college or university, or any State agency
16 whose major function is providing educational services; any

1 authority including a department, division, bureau, board,
2 commission, or other agency of these entities; and any person
3 acting within the scope of his or her authority express or
4 implied on behalf of those entities in dealing with its
5 employees.

6 "Employee" means any individual who is employed on a
7 full-time, part-time, or contractual basis by an employer.

8 "Employee" also includes, but is not limited to, a licensed
9 physician who practices his or her profession, in whole or in
10 part, at a hospital, nursing home, clinic, or any medical
11 facility that is a health care facility funded, in whole or in
12 part, by the State.

13 "Retaliation" or "retaliatory action" means an adverse
14 action proximately caused by activity protected under this
15 Act.

16 (Source: P.A. 95-128, eff. 1-1-08; 96-1253, eff. 1-1-11.)

17 (740 ILCS 174/10)

18 Sec. 10. Certain policies prohibited. An employer may not
19 make, adopt, or enforce any rule, regulation, or policy
20 preventing an employee from disclosing information to a
21 government or law enforcement agency if the employee has
22 reasonable cause to believe that the information discloses a
23 violation of a State or federal law, rule, or regulation. If
24 the employee can articulate a coherent basis, even if
25 mistaken, for contending the conduct identified is illegal,

1 then the disclosure is protected under this Act.

2 (Source: P.A. 93-544, eff. 1-1-04.)

3 (740 ILCS 174/15)

4 Sec. 15. Retaliation for certain disclosures prohibited.

5 (a) An employer may not retaliate against an employee who
6 discloses information in a court, an administrative hearing,
7 or before a legislative commission or committee, or in any
8 other proceeding, where the employee has reasonable cause to
9 believe that the information discloses a violation of a
10 municipal, county, State or federal law, rule, or regulation.

11 (b) An employer may not retaliate against an employee for
12 disclosing information to a government or law enforcement
13 agency, whether that agency is the employer or a third party,
14 where the employee has reasonable cause to believe that the
15 information discloses a past, current, or future violation of
16 a municipal, county, State, or federal law, rule, or
17 regulation by the employer or a third party, including any
18 individual.

19 (Source: P.A. 95-128, eff. 1-1-08.)

20 (740 ILCS 174/20)

21 Sec. 20. Retaliation for certain refusals prohibited. An
22 employer may not retaliate against an employee for refusing to
23 participate in any past, current, or future ~~an~~ activity that
24 would result in a violation of a municipal, county, State, or

1 federal law, rule, or regulation, including, but not limited
2 to, violations of the Freedom of Information Act, by the
3 employer or a third party, including any individual.
4 Invitations to participate in illegal activity do not need to
5 be explicit.

6 (Source: P.A. 96-555, eff. 8-18-09.)".