

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 23

02/06/2025 Authored by Robbins, Duran, Perryman, Zeleznikar, Knudsen and others

02/17/2025 The bill was read for the first time and referred to the Committee on State Government Finance and Policy

03/06/2025 Adoption of Report: Amended and re-referred to the Committee on Workforce, Labor, and Economic Development Finance and Policy

Adoption of Report: Placed on the General Register

Read for the Second Time

1.1 A bill for an act

1.2 relating to employment; providing definitions; modifying whistleblower protections

1.3 for public employees; amending Minnesota Statutes 2024, sections 181.931, by

1.4 adding subdivisions; 181.932, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 181.931, is amended by adding a subdivision

1.7 to read:

1.8 Subd. 1a. **Abuse.** "Abuse" means actions that may, directly or indirectly, result in

1.9 unnecessary costs to programs of a state agency or political subdivision. Abuse may involve

1.10 paying for items or services when there is no legal entitlement to that payment.

1.11 Sec. 2. Minnesota Statutes 2024, section 181.931, is amended by adding a subdivision to

1.12 read:

1.13 Subd. 3a. **Fraud.** "Fraud" means an intentional or deliberate act to deprive another of

1.14 property or money or to acquire property or money by deception or other unfair means.

1.15 Fraud includes intentionally submitting false information to the department for the purpose

1.16 of obtaining a greater compensation or benefit than that to which the person is legally

1.17 entitled. Fraud also includes failure to correct errors in the maintenance of records in a

1.18 timely manner after a request by a state agency or political subdivision.

2.1 Sec. 3. Minnesota Statutes 2024, section 181.931, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 7. **Waste.** "Waste" means practices that, directly or indirectly, result in unnecessary
2.4 costs to programs of a state agency or political subdivision, such as misusing resources.

2.5 Sec. 4. Minnesota Statutes 2024, section 181.932, subdivision 1, is amended to read:

2.6 Subdivision 1. **Prohibited action.** An employer shall not discharge, discipline, penalize,
2.7 interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an
2.8 employee regarding the employee's compensation, terms, conditions, location, or privileges
2.9 of employment because:

2.10 (1) the employee, or a person acting on behalf of an employee, in good faith, reports a
2.11 violation, suspected violation, or planned violation of any federal or state law or common
2.12 law or rule adopted pursuant to law to an employer or to any governmental body or law
2.13 enforcement official;

2.14 (2) the employee is requested by a public body or office to participate in an investigation,
2.15 hearing, inquiry;

2.16 (3) the employee refuses an employer's order to perform an action that the employee
2.17 has an objective basis in fact to believe violates any state or federal law or rule or regulation
2.18 adopted pursuant to law, and the employee informs the employer that the order is being
2.19 refused for that reason;

2.20 (4) the employee, in good faith, reports a situation in which the quality of health care
2.21 services provided by a health care facility, organization, or health care provider violates a
2.22 standard established by federal or state law or a professionally recognized national clinical
2.23 or ethical standard and potentially places the public at risk of harm;

2.24 (5) a public employee communicates the findings of a scientific or technical study that
2.25 the employee, in good faith, believes to be truthful and accurate, including reports to a
2.26 governmental body or law enforcement official; ~~or~~

2.27 (6) an employee in the classified service of state government communicates information
2.28 that the employee, in good faith, believes to be truthful and accurate, and that relates to state
2.29 services, including the financing of state services, to:

2.30 (i) a legislator or the legislative auditor; or

2.31 (ii) a constitutional officer; or

- 3.1 (7) a public employee, in good faith, reports fraud, waste, or abuse in programs of a state
3.2 agency or political subdivision to the employer, a governmental body, a law enforcement
3.3 official, the legislative auditor, a member of the legislature, or a constitutional officer.
- 3.4 The disclosures protected pursuant to this section do not authorize the disclosure of data
3.5 otherwise protected by law.