

SENATE BILL NO. 158

BY SENATORS MORRELL, ALARIO, BROOME, DORSEY-COLOMB, ERDEY,
GUILLORY, LONG, MARTINY, MURRAY, PETERSON, GARY
SMITH, JOHN SMITH, TARVER, THOMPSON AND WHITE

1 AN ACT

2 To enact R.S. 23:968, relative to whistleblower protection; to provide employment
3 protection for a person who reports the sexual abuse of a minor child; to provide a
4 cause of action for certain employees; to provide for damages; to provide for
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:968 is hereby enacted to read as follows:

8 **§968. Whistleblower protection and cause of action**

9 **A. No employee shall be discharged, demoted, suspended, threatened,**
10 **harassed, or discriminated against in any manner in the terms and conditions**
11 **of his employment because of any lawful act engaged in by the employee or on**
12 **behalf of the employee in furtherance of any action taken to report the sexual**
13 **abuse of a minor child by any fellow employee to law enforcement, whether**
14 **such fellow employee is a co-worker, supervisor or subordinate.**

15 **B.(1) An employee of a public or private entity may bring action for**
16 **relief against his or her employer, in a court of competent jurisdiction, for**
17 **damages associated with any action taken by the employee which is in**
18 **furtherance of the protection of a minor child as is provided for in Subsection**
19 **A of this Section.**

20 **(2) A person aggrieved of a violation of Subsection A of this Section shall**
21 **be entitled to treble damages plus court costs and reasonable attorney fees.**

1 **C. A plaintiff shall not be entitled to recovery pursuant to this Section if**
2 **the court finds that the plaintiff instituted or proceeded with an action that was**
3 **frivolous, vexatious, or harassing.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____