2nd Sub. S.B. 95
WHISTLEBLOWER AMENDMENTS

HOUSE FLOOR AMENDMENTS AMENDMENT 2 MARCH 13, 2013 10:04 AM

Representative **Derek E. Brown** proposes the following amendments:

1. *Page 2, Line 27:*

27 ‣ permits the award of costs and attorney fees to {~~a party that~~} **an employee who** prevails in court;

2. *Page 8, Lines 228 through 229:*

228 (6) (a) Except as provided in Subsection (6)(b), an appellate court may award costs and
229 attorney fees, accrued at the appellate court level, to {~~the~~} **a** prevailing {~~party~~} **employee** .

3. *Page 12, Lines 365 through 366:*

365 (3) A public entity employer has the burden to prove by {~~substantial~~} **a preponderance of the** evidence that the
366 public entity employer's action was justified.

4. *Page 13, Lines 375 through 377:*

375 (ii) a burden of proof on the employer to establish by {~~substantial~~} **a preponderance of the** evidence that the
376 employer's action was justified by reasons unrelated to the employee's good faith actions under
377 Section 67-21-3.

5. *Page 13, Line 397 through Page 14, Line 399:*

397 (ii) a burden of proof on the employer to establish by {~~substantial~~} **a preponderance of the** evidence that the
398 employer's action was justified by reasons unrelated to the employee's good faith actions under
399 Section 67-21-3.

6. *Page 15, Lines 456 through 457:*

456 (3) To prevail in an action brought under this section, the employer shall prove by
457 {~~substantial~~} **a preponderance of the** evidence that the employer's action was justified.