

61-1-102 Definitions.

As used in this part:

- (1) "Adverse action" means to:
 - (a) discharge, threaten, or directly or indirectly harass an employee; or
 - (b) otherwise discriminate against an employee in any manner that affects the employee's employment, including:
 - (i) compensation;
 - (ii) terms;
 - (iii) conditions;
 - (iv) location;
 - (v) rights;
 - (vi) immunities;
 - (vii) promotions; or
 - (viii) privileges.
- (2) "Covered judicial or administrative action" means a judicial or administrative action brought under this chapter that results in a monetary sanction exceeding \$50,000.
- (3) "Employee" means an individual who performs a service for wages or other remuneration under a contract of hire, written or oral, express or implied.
- (4) "Fund" means the Securities Investor Education, Training, and Enforcement Fund created in Section 61-1-18.7.
- (5) "Original information" means information that is:
 - (a) derived from the independent knowledge or analysis of an individual;
 - (b) not known to the division or commission from a source other than the individual; and
 - (c) unless the individual is the source of the information, not exclusively derived from:
 - (i) an allegation made in a judicial or administrative hearing;
 - (ii) a government report, hearing, audit, or investigation; or
 - (iii) the media.
- (6) "Monetary sanction" means money required to be paid under this chapter as the result of a judicial or administrative action, including a penalty or disgorgement.
- (7) "Reporter" means an individual who provides original information relating to a violation in accordance with Section 61-1-103.

Enacted by Chapter 318, 2011 General Session