

SENATE BILL NO. 1715

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

5357S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to public utilities employees' whistleblower protections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 386, RSMo, is amended by adding thereto
2 one new section, to be known as section 386.1150, to read as
3 follows:

**386.1150. 1. For purposes of this section, the
2 following terms mean:**

3 (1) "Commission", the Missouri public service
4 commission;

5 (2) "Public counsel", the Missouri office of the
6 public counsel;

7 (3) "Protected person", an employee of a public
8 utility, who has reported to the proper authorities an
9 unlawful act, serious misconduct that violates public
10 policy, or any other violation promulgated by a statute,
11 rule, regulation, or any other provision of law by a public
12 utility; or an employee of the public utility who refused to
13 carry out a directive by the public utility that if
14 completed would be a violation of the law, rule, or
15 regulation of the commission. "Protected person" includes
16 any person serving on a board of directors, any person
17 serving in leadership roles, such as executives, managers,

18 supervisors, or any employee, applicant, former employee, or
19 contractor subject to the authority of the commission;

20 (4) "Public utility", the same as defined in section
21 386.020.

22 2. The commission and public counsel shall each
23 designate counsel to stand as ombudsman who shall accept any
24 complaint or information provided by a protected person as
25 to any act or omission by a public utility that violates
26 current law or any rule or regulation promulgated by the
27 commission under this chapter.

28 3. Any information provided to the ombudsman under
29 this section pertaining to the identity of the protected
30 person shall be kept confidential and a closed record under
31 chapter 610.

32 4. Any information provided to the ombudsman
33 pertaining to a rate case shall be placed in an official
34 rate case file, but any information pertaining to the
35 identity of the protected person under this section shall be
36 redacted.

37 5. The commission and public counsel shall each have
38 the power to investigate or make an inquiry as to any act or
39 omission by a public utility based on a complaint or
40 information provided by a protected person under this
41 section.

42 6. After receiving the complaint or information by a
43 protected person, the commission and public counsel shall:

44 (1) Both confirm receipt of the complaint or
45 information to the protected person;

46 (2) Provide an opportunity for the protected person to
47 meet with an investigator investigating or making an inquiry
48 as to any act or omission by the public utility under
49 subsection 5 of this section;

50 (3) Provide an opportunity for the protected person to
51 rebut any denial by the public utility pertaining to any act
52 or omission by the public utility that is being
53 investigated; and

54 (4) Provide an opportunity for the protected person to
55 comment on a preliminary investigative report pertaining to
56 any act or omission by the public utility, if any, that has
57 been investigated under subsection 5 of this section.

58 7. Any rebuttal, denial, or any comments under
59 subsection 6 of this section shall be included in the record
60 of the complaint.

61 8. The commission and public counsel shall both send
62 notification to the protected person of the final result of
63 the investigation pertaining to any act or omission by the
64 public utility under this section.

65 9. A protected person under this section shall have
66 the same remedies as a protected person under section
67 285.575.

68 10. The commission shall promulgate rules to enforce
69 the provisions of this section. Any rule or portion of a
70 rule, as that term is defined in section 536.010, that is
71 created under the authority delegated in this section shall
72 become effective only if it complies with and is subject to
73 all of the provisions of chapter 536 and, if applicable,
74 section 536.028. This section and chapter 536 are
75 nonseverable and if any of the powers vested with the
76 general assembly pursuant to chapter 536 to review, to delay
77 the effective date, or to disapprove and annul a rule are
78 subsequently held unconstitutional, then the grant of
79 rulemaking authority and any rule proposed or adopted after
80 August 28, 2026, shall be invalid and void.

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