

GENERAL REVISOR'S NOTE:

The State Personnel Article Review Committee notes, for consideration by the General Assembly, that formerly most provisions of this subtitle were arguably subject to the penalty provisions of Art. 33, § 24-27(a). By their placement in this Division I, however, those provisions are now subject to the penalty provisions of § 14-201 of this article.

Former Art. 33, §§ 28-1 and 28-2, as those sections related to local governmental entities and their employees, are revised as Title 13 of Art. 24 of the Code.

SUBTITLE 3. MARYLAND WHISTLEBLOWER LAW.

3-301. SCOPE OF SUBTITLE.

THIS SUBTITLE APPLIES ONLY TO:

- (1) CLASSIFIED SERVICE AND UNCLASSIFIED SERVICE EMPLOYEES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT; AND
- (2) APPLICANTS FOR EMPLOYMENT IN THE CLASSIFIED SERVICE OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

REVISOR'S NOTE: This subsection is new language that, in part, is derived without substantive change from former Art. 64A, § 12F(a) and, in part, is added based on the reference to applicants in former Art. 64A, § 12G(a)(1), which is revised in § 3-304 of this subtitle.

The references to the "executive branch of State government" are added for clarity. See 77 Op. Att'y Gen. ____ (1992) [Opinion No. 92-016 (May 20, 1992)].

Defined terms: "Classified service" § 1-101

"Unclassified service" § 1-101

3-302. NOTICE AND EFFECT OF SUBTITLE.

(A) NOTICE.

THE SECRETARY SHALL PROVIDE ALL EMPLOYEES SUBJECT TO THIS SUBTITLE WITH WRITTEN NOTICE OF THE PROTECTIONS AND REMEDIES PROVIDED BY THIS SUBTITLE.

(B) EFFECT ON LEGAL ACTIONS.

THIS SUBTITLE DOES NOT PRECLUDE AN ACTION FOR DEFAMATION OR INVASION OF PRIVACY.

(C) EFFECT ON PERSONNEL ACTIONS.

THIS SUBTITLE DOES NOT PROHIBIT A PERSONNEL ACTION THAT WOULD HAVE BEEN TAKEN REGARDLESS OF A DISCLOSURE OF INFORMATION.

(D) EFFECT ON GRIEVANCE PROCEDURES.