



House of Representatives

General Assembly

File No. 489

February Session, 2002

House Bill No. 5734

House of Representatives, April 15, 2002

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT DESIGNATING CERTAIN "FUNDS" AS "ACCOUNTS".

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-52 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2002*):

3 As used in sections 4-53 to 4-55, inclusive, as amended by this act,
4 ["activity fund"] trustee account means any [fund] account operated in
5 any state educational institution or welfare or medical agency for the
6 benefit of the employees or students of such institution or agency,
7 including so-called clients' funds in state hospitals, the revenue of
8 which is derived from the operation of canteens, vending machines,
9 dramatics, recitals, student activity fees, membership fees, deposits,
10 gifts, donations, bequests or any other legal source compatible with the
11 good government of such institution or agency.

12 Sec. 2. Section 4-53 of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective July 1, 2002*):

14 The administrative head of any such institution or agency may, with
15 the approval of the Comptroller and in accordance with procedures
16 prescribed by the Comptroller, establish one or more [activity funds]
17 trustee accounts. The Governor may allot from the funds appropriated
18 to any such institution or agency any amount needed in [his] the
19 Governor's judgment for the establishment of any such [activity fund]
20 trustee account, and the Comptroller shall provide in such procedures
21 for the reimbursement of such appropriation. The use of such state
22 facilities as space, fixtures, heat and light to obtain revenue from the
23 sources designated in section 4-52, as amended by this act, is
24 authorized. [At the end of each fiscal year any cash balance in such
25 fund not needed for the maintenance and continuance of its activities
26 may, with the approval of the Comptroller, be transferred to the
27 "general welfare fund" of such institution or agency if such a fund has
28 been established and, if not, shall remain in such activity fund.]

29 Sec. 3. Section 4-54 of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective July 1, 2002*):

31 (a) The management of such [funds] accounts may be under the
32 control of students or employees other than those adjudged mentally
33 ill but shall be under the supervision of the administrative head of the
34 institution or agency, except that such [funds] accounts shall be under
35 the total control of students under conditions hereinafter provided.
36 The person acting as treasurer of any such [fund] account shall be
37 bonded in an amount determined by the State Insurance and Risk
38 Management Board.

39 (b) Where the duly constituted student government at any public
40 institution of higher education or where by petition five per cent of the
41 students enrolled at such institution and paying activity fees seeks to
42 establish total control and administration of the student [activity fund]
43 trustee account at such institution, a referendum shall be held on the
44 question. [Said] Such referendum shall be conducted by secret ballot
45 and notice of [said] such referendum shall be given to the students at
46 such institution at least fourteen days prior to [said] such referendum.

47 Upon approval by a majority of at least forty per cent of all students
48 enrolled in the institution and paying activity fees, the duly constituted
49 student government of such institution shall become responsible for
50 the control and administration of [said fund] such account. Pursuant to
51 this subsection any student government controlling student [activity
52 funds] trustee accounts shall establish a finance committee whose duty
53 it shall be to hold hearings on budget requests and expenditures of
54 [said funds] such accounts and to recommend the allocation of [said
55 funds] such accounts to the student government. Such student
56 government shall have as one of its officers a duly elected treasurer
57 who shall be accountable for such [funds] accounts and be bonded in
58 accordance with the provisions of subsection (a) of this section.

59 (c) A referendum on whether to continue student control of [said
60 fund] such account shall be held upon the petition by five per cent of
61 the students enrolled at such institution and paying activity fees. Such
62 referendum shall be held in accordance with the provisions of
63 subsection (b) of this section. Where a majority of those voting in such
64 referendum disapprove of the continuation of student control over
65 such [funds] accounts, supervision of such [funds] accounts shall be
66 vested in the administrative head of the institution in accordance with
67 subsection (a) of this section.

68 (d) Notwithstanding any provisions of this section, a referendum on
69 whether to continue student control of [said fund] such account shall
70 be held at least every four years in accordance with the provisions of
71 subsection (b) of this section. Such referendum shall require approval
72 by a majority of at least forty per cent of all students enrolled in the
73 institution and paying activity fees.

74 Sec. 4. Section 4-55 of the general statutes is repealed and the
75 following is substituted in lieu thereof (*Effective July 1, 2002*):

76 The administrative head of any institution or agency operating [an
77 activity fund] a trustee account, the Commissioner of Correction
78 operating [an activity fund] a trustee account in accordance with the
79 provisions of section 4-57a or the treasurer of a student government

80 organization at a public institution of higher education in control of
 81 [an activity fund] a trustee account, in accordance with the provisions
 82 of subsection (b) of section 4-54, as amended by this act, shall file, or
 83 cause to be filed, a balance sheet and statement of operations with the
 84 Secretary of the Office of Policy and Management at such times as said
 85 secretary orders. A copy of such statements shall be retained for
 86 auditing purposes.

87 Sec. 5. Section 4-56 of the general statutes is repealed and the
 88 following is substituted in lieu thereof (*Effective July 1, 2002*):

89 Unless otherwise provided by the donor, all gifts, donations or
 90 bequests made to the students or clients of any state educational
 91 institution or medical or welfare agency as a group, unclaimed funds
 92 accumulated from money deposited for the use of students or clients in
 93 any such state institution or agency, and the interest on any such
 94 money, shall be placed in a separate [fund] account at such institution
 95 or agency [which may be known as the "general welfare fund"] and
 96 shall be used in accordance with procedures prescribed by the
 97 Comptroller, for the benefit of the students or clients of such
 98 institution or agency in any manner which the governing board of
 99 such institution or agency deems suitable.

100 Sec. 6. (*Effective July 1, 2002*) Section 4-57 of the general statutes is
 101 repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>
Sec. 4	<i>July 1, 2002</i>
Sec. 5	<i>July 1, 2002</i>
Sec. 6	<i>July 1, 2002</i>

APP *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected
GF - None	State Comptroller

Note: GF=General Fund

Municipal Impact: None

OFA Bill Analysis

HB 5734

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SUMMARY:

The bill makes technical changes to account titles in the Office of the State Comptroller.

EFFECTIVE DATE: July 1, 2002

COMMITTEE ACTION

Appropriations Committee

Joint Favorable Report

Yea 50 Nay 0