



General Assembly

January Session, 2007

Raised Bill No. 1290

LCO No. 4533

04533_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING ACCOUNTABILITY IN CONTRACTING WITH STATE AGENCIES.

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

1 Section 1. Section 1-218 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2008*):

3 Each contract in excess of [two million five hundred] two hundred
4 fifty thousand dollars between a public agency and a person for the
5 performance of a governmental function and any subcontract between
6 such person and any other person that is related to the performance of
7 such governmental function shall (1) provide that the public agency is
8 entitled to receive a copy of records and files, including, but not
9 limited to, the titles and salaries of the employees of such person,
10 related to the performance of the governmental function, and (2)
11 indicate that such records and files are subject to the Freedom of
12 Information Act and may be disclosed by the public agency pursuant
13 to the Freedom of Information Act. No request to inspect or copy such
14 records or files shall be valid unless the request is made to the public
15 agency in accordance with the Freedom of Information Act. Any
16 complaint by a person who is denied the right to inspect or copy such

17 records or files shall be brought to the Freedom of Information
18 Commission in accordance with the provisions of sections 1-205 and 1-
19 206.

20 Sec. 2. (NEW) (*Effective January 1, 2008*) (a) Notwithstanding any
21 provision of the general statutes, on or before March thirty-first of each
22 calendar year, any for-profit or nonprofit agency that has a contract,
23 subcontract, personal service agreement or purchase of service
24 agreement with the state to provide services to any state agency and
25 which constitutes the performance of a governmental function, as
26 defined in section 1-200 of the general statutes, as a condition of such
27 contract, subcontract, personal service agreement or purchase of
28 service agreement, shall provide, in a format determined by the
29 commissioner of such state agency, the following information to such
30 state agency: (1) Such for-profit or nonprofit agency's identifying
31 information, including the official name of such for-profit or nonprofit
32 agency, (2) any applicable provider state identification number, (3) the
33 name, business address and telephone number of the executive
34 responsible for such contract, subcontract, personal service agreement
35 or purchase of service agreement, (4) financial information including
36 the total annual operating budget that sets forth annual expenditures
37 for personnel and administrative expenses, in addition to any
38 independently conducted audits within the possession of such for-
39 profit or nonprofit agency that relate to the performance of such
40 governmental function, (5) personnel compensation information that
41 includes the average annual wages or salaries of employees and
42 professional staff engaged in such contracted for services, (6) the
43 names and salaries of the three highest paid officials of such for-profit
44 or nonprofit agency, (7) health care information that includes the
45 percentage of employees and professional and managerial personnel
46 who receive health care insurance through such for-profit or nonprofit
47 agency, and (8) any performance assessments conducted by such for-
48 profit or nonprofit agency in connection with such contract,
49 subcontract, personal service agreement or purchase of service
50 agreement.

51 (b) Any information submitted pursuant to the provisions of
52 subsection (a) of this section shall be subject to disclosure in
53 accordance with the provisions of chapter 14 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	1-218
Sec. 2	<i>January 1, 2008</i>	New section

Statement of Purpose:

To lower the threshold on the dollar value of certain state contracts that are subject to the Freedom of Information Act, provide that salary information relating to employees performing work under such contracts shall be subject to disclosure and require disclosure of certain information by nonprofit agencies who have contracts with the state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]