



General Assembly

**Substitute Bill No. 1290**

January Session, 2007

\* SB01290PD 050207 \*

**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 Section 1-218 of the general statutes is repealed and the  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 thousand  
4 dollars between a public agency and a person for the performance of a  
5 governmental function shall (1) provide that the public agency is  
6 entitled to receive a copy of records and files, including, but not  
7 limited to, the titles and salaries of the employees of such person,  
8 related to the performance of the governmental function, and (2)  
9 indicate that such records and files are subject to the Freedom of  
10 Information Act and may be disclosed by the public agency pursuant  
11 to the Freedom of Information Act. No request to inspect or copy such  
12 records or files shall be valid unless the request is made to the public  
13 agency in accordance with the Freedom of Information Act. Any  
14 complaint by a person who is denied the right to inspect or copy such  
15 records or files shall be brought to the Freedom of Information  
16 Commission in accordance with the provisions of sections 1-205 and 1-  
17 206.

18 Sec. 2. (NEW) (*Effective January 1, 2008*) (a) Notwithstanding any  
19 provision of the general statutes, on or before March thirty-first of each

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

49 (b) Any information submitted pursuant to the provisions of  
50 subsection (a) of this section shall be subject to disclosure in  
51 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 Legislative Commissioners:**

The language in section 2(a) preceding subdivisions (1) to (8), inclusive, was rewritten for grammatical accuracy and clarity.

**PD**      *Joint Favorable Subst.*