



General Assembly

February Session, 2008

Amendment

LCO No. 4498

SB0003904498SRO

Offered by:

SEN. MCKINNEY, 28th Dist.
SEN. FASANO, 34th Dist.
SEN. RORABACK, 30th Dist.
SEN. CALIGIURI, 16th Dist.
SEN. CAPIELLO, 24th Dist.
SEN. DEBICELLA, 21st Dist.
SEN. FREEDMAN, 26th Dist.

SEN. GUGLIELMO, 35th Dist.
SEN. HERLIHY, 8th Dist.
SEN. KANE, 32nd Dist.
SEN. KISSEL, 7th Dist.
SEN. NICKERSON, 36th Dist.
SEN. RUSSO, 22nd Dist.

To: Subst. Senate Bill No. 39

File No. 355

Cal. No. 245

"AN ACT CONCERNING RESPONSIBLE GROWTH."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) Not later than July 1,
4 2009, the Auditors of Public Accounts shall establish a municipal
5 finance assistance program. Such program shall: (1) Offer financial
6 management assistance to municipalities of the state upon the request
7 of the chief elected official or legislative body of any such municipality;
8 (2) provide that any municipality that seeks such assistance shall
9 submit to the Auditors of Public Accounts for review any documents
10 relating to the budget of such municipality or any other financial
11 matter for which such assistance is sought; and (3) enable the Auditors

12 of Public Accounts to issue a report to the General Assembly, after
13 consultation with such municipality, whenever such review indicates
14 the likely need for state intervention or assistance to remedy any
15 financial condition of such municipality.

16 (b) On or before January 1, 2010, and annually thereafter, the
17 Auditors of Public Accounts shall report to the joint standing
18 committee of the General Assembly having cognizance of matters
19 relating to government administration on the utilization of such
20 program by municipalities of the state.

21 Sec. 502. Section 2-90 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective July 1, 2008*):

23 (a) The Auditors of Public Accounts shall organize the work of their
24 office in such manner as they deem most economical and efficient and
25 shall determine the scope and frequency of any audit they conduct.

26 (b) Said auditors, with the Comptroller, shall, at least annually and
27 as frequently as they deem necessary, audit the books and accounts of
28 the Treasurer, including, but not limited to, trust funds, as defined in
29 section 3-13c, and certify the results to the Governor. The auditors
30 shall, at least annually and as frequently as they deem necessary, audit
31 the books and accounts of the Comptroller and certify the results to the
32 Governor. They shall examine and prepare certificates of audit with
33 respect to the financial statements contained in the annual reports of
34 the Treasurer and Comptroller, which certificates shall be made part of
35 such annual reports. In carrying out their responsibilities under this
36 section, said auditors may retain independent auditors to assist them.

37 (c) Said auditors shall audit, on a biennial basis if deemed most
38 economical and efficient, or as frequently as they deem necessary, the
39 books and accounts of (1) each officer, department, commission, board
40 and court of the state government; [,] (2) all institutions supported by
41 the state; and (3) all public and quasi-public bodies, politic and
42 corporate, created by public or special act of the General Assembly
43 [and] not required to be audited or subject to reporting requirements,

44 under the provisions of chapter 111, except that the auditors may audit
45 the books and accounts of any municipality that receives state funding
46 in an amount that is more than thirty-five per cent of the annual
47 operating budget of such municipality. Each such audit may include
48 an examination of performance in order to determine effectiveness in
49 achieving expressed legislative purposes. Each such audit of a
50 municipality shall include any recommendations for management
51 efficiencies and financial improvements. The auditors shall report their
52 findings and recommendations to the Governor, the State Comptroller,
53 the joint standing committee of the General Assembly having
54 cognizance of matters relating to appropriations and the budgets of
55 state agencies, and the Legislative Program Review and Investigations
56 Committee.

57 (d) The Auditors of Public Accounts may enter into such contractual
58 agreements as may be necessary for the discharge of their duties. Any
59 audit or report which is prepared by a person, firm or corporation
60 pursuant to any contract with the Auditors of Public Accounts shall
61 bear the signature of the person primarily responsible for the
62 preparation of such audit or report. As used in this subsection, the
63 term "person" means a natural person.

64 (e) If the Auditors of Public Accounts discover, or if it should come
65 to their knowledge, that any unauthorized, illegal, irregular or unsafe
66 handling or expenditure of state funds or any breakdown in the
67 safekeeping of any resources of the state has occurred or is
68 contemplated, they shall forthwith present the facts to the Governor,
69 the State Comptroller, the clerk of each house of the General Assembly,
70 the Legislative Program Review and Investigations Committee and the
71 Attorney General. Any Auditor of Public Accounts neglecting to make
72 such a report, or any agent of the auditors neglecting to report to the
73 Auditors of Public Accounts any such matter discovered by [him] such
74 agent or coming to [his] the knowledge of such agent shall be fined not
75 more than one hundred dollars or imprisoned not more than six
76 months or both.

77 (f) All reports issued or made pursuant to this section shall be
78 retained in the offices of the Auditors of Public Accounts for a period
79 of not less than five years. The auditors shall file one copy of each such
80 report with the State Librarian.

81 (g) Each state agency shall keep its accounts in such form and by
82 such methods as to exhibit the facts required by said auditors and, the
83 provisions of any other general statute notwithstanding, shall make all
84 records and accounts available to them or their agents, upon demand.

85 (h) Where there are statutory requirements of confidentiality with
86 regard to such records and accounts or examinations of
87 nongovernmental entities which are maintained by a state agency,
88 such requirements of confidentiality and the penalties for the violation
89 thereof shall apply to the auditors and to their authorized
90 representatives in the same manner and to the same extent as such
91 requirements of confidentiality and penalties apply to such state
92 agency. In addition, the portion of any audit or report prepared by the
93 Auditors of Public Accounts that concerns the internal control
94 structure of a state information system shall not be subject to
95 disclosure under the Freedom of Information Act, as defined in section
96 1-200."