
OLR Bill Analysis

sHB 5496

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE REQUIRING COMMITTEES OF COGNIZANCE TO CONDUCT REVIEWS UNDER THE SUNSET LAW.

SUMMARY:

Under the current sunset law, numerous licensing and regulatory state agencies and programs terminate on set dates unless the General Assembly reestablishes them after the Legislative Program Review and Investigations Committee (PRI) conducts a performance audit of each.

This bill eliminates the automatic termination dates and instead establishes staggered review dates beginning no later than July 1, 2014. It transfers, from PRI to the applicable joint standing committee of the General Assembly with cognizance, responsibility for reviewing the entities and programs. Under the bill, the applicable committee of cognizance must conduct the review every ten years, rather than every four years as current law requires PRI to do.

The bill repeals provisions rendered obsolete by removing the automatic termination dates. It also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2012

PERFORMANCE AUDIT AND RECOMMENDATIONS

Under the bill, the applicable committee of cognizance, rather than PRI, must (1) review the public need for each specified entity or program according to established criteria and (2) report to the General Assembly its recommendations for terminating, reestablishing, modifying, or consolidating them. Toward that end, the bill establishes procedures and associated deadlines, which Table 1 shows.

Table 1: Audit Procedures and Schedule

<i>Action</i>	<i>Deadline</i>
PRI provides each committee of cognizance with a form for collecting data using results-based measures, including the criteria the law establishes for determining public need and public interest	March 15 th of the year preceding the year when the entity or program is scheduled for review
Applicable committee of cognizance provides the form to the state agency with oversight over the entity or program	July 1 st of the year preceding the year when the entity or program is scheduled for review
State agency with oversight over the entity or program submits the completed form to the applicable committee of cognizance	January 15 th of the year when the entity or program is scheduled for review

Public Hearing, Report, and Recommendations

Current law requires the Government Administration and Elections Committee (GAE) to hold a public hearing prior to the termination, modification, consolidation, or reestablishment of any governmental entity or program. It allows, but does not require, the GAE Committee to make recommendations to the General Assembly concerning modification or consolidation.

The bill instead requires the applicable committee of cognizance to hold the public hearing during the regular legislative session in the year that the program or entity is scheduled for termination. After the applicable committee holds a public hearing, it must submit a report to the General Assembly with its recommendations. The committee may ask PRI to review the entity or program if it determines further review is necessary. PRI may grant or deny the request.

The bill does not specify a deadline by which the applicable committee of cognizance must submit its report to the General Assembly. Currently, PRI must submit its report by January 1st of the year in which affected entities and programs are scheduled for

termination.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute Change of Reference

Yea 10 Nay 0 (03/16/2012)

Government Administration and Elections Committee

Joint Favorable

Yea 15 Nay 0 (03/29/2012)