

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



PA 12-143—sHB 5496

*Program Review and Investigations Committee  
Government Administration and Elections Committee*

**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 prior sunset law, numerous licensing and regulatory state agencies and programs terminated on set dates unless the General Assembly reestablished them after the Legislative Program Review and Investigations Committee (PRI) conducted a performance audit of each.

This act eliminates the automatic termination dates and instead establishes a staggered review schedule. It transfers, from PRI to the applicable joint standing committee of the General Assembly with cognizance, responsibility for reviewing the entities and programs. The committee of cognizance must conduct the review every ten years, rather than every four years as prior law required PRI to do.

The act repeals provisions rendered obsolete by the elimination of the automatic termination dates. It also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2012

**PERFORMANCE AUDIT AND RECOMMENDATIONS**

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

Table 1: Audit Procedures and Schedule

<b>Action</b>	<b>Deadline</b>
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 <sup>th</sup> 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 <sup>st</sup> of the year preceding the year when the entity or program is scheduled for review
State agency with oversight of the entity or	January 15 <sup>th</sup> of the year when the entity or

## OLR PUBLIC ACT SUMMARY

program submits the completed form to the applicable committee of cognizance	program is scheduled for review
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### *Staggered Review Schedule*

The act divides the programs and entities scheduled for sunset into 10 groups. Under the review schedule, the applicable committees of cognizance must review the programs and entities in the first group by July 1, 2014 and an additional group by July 1 of each year that follows through 2023, at which point the schedule starts over.

### *Public Hearing, Report, and Recommendations*

Prior law required the Government Administration and Elections Committee (GAE) to hold a public hearing before any governmental entity or program was terminated, modified, consolidated, or reestablished. It allowed, but did not require, the GAE Committee to make recommendations to the General Assembly concerning modification or consolidation.

The act 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 review. 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 act does not specify a deadline by which the applicable committee of cognizance must submit its report to the General Assembly. Previously, PRI had to submit its report by January 1<sup>st</sup> of the year in which affected entities and programs were scheduled for termination.

OLR Tracking: KS:SN-E:PF:eh