



Substitute Senate Bill No. 1071

Public Act No. 21-145

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS.

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

Section 1. Subsection (g) of section 2-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(g) Each state agency shall keep its accounts in such form and by such methods as to exhibit the facts required by said auditors and, the provisions of any other general statute notwithstanding, shall make all records and accounts available to them or their agents, upon demand. Notwithstanding any provision of the general statutes, no state agency may deny the auditors access to their records or accounts.

Sec. 2. (NEW) (*Effective October 1, 2021*) As used in this section, "contract", "state contracting agency", "data" and "contractor" have the same meanings as provided in section 4e-1 of the general statutes. Any contract between a state contracting agency and a contractor that is entered into, renewed or amended on or after October 1, 2021, shall contain a provision authorizing the state contracting agency to access any data concerning such contract that is in the possession or control of the contractor upon demand in a format prescribed by the state

Substitute Senate Bill No. 1071

contracting agency at no additional cost to such agency.

Sec. 3. Subsection (c) of section 2-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(c) Said auditors shall audit, on a biennial basis if deemed most economical and efficient, or as frequently as they deem necessary, the books and accounts, records of operations and activities, systems and data of each officer, department, commission, board and court of the state government, all institutions supported by the state and all public and quasi-public bodies, politic and corporate, created by public or special act of the General Assembly and not required to be audited or subject to reporting requirements, under the provisions of chapter 111. Each such audit may include an examination of any relevant information concerning the department, commission, board or court of state government being audited that is in the possession or control of a private entity that has a contract with such department, commission, board or court, and such information shall be provided upon demand in a format prescribed by the auditors at no cost to the auditors or the department, commission, board or court. Each such audit may include an examination of performance in order to determine effectiveness in achieving expressed legislative purposes. The auditors shall report their findings and recommendations to the Governor, the State Comptroller and the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies.

Sec. 4. (NEW) (*Effective October 1, 2021*) On and after October 1, 2021, any state agency proposing to enter into or amend a contract for the purchase of auditing services shall (1) notify the Auditors of Public Accounts of such contract at least fifteen days prior to entering into or amending such contract, and (2) not enter into or amend such contract until the Auditors of Public Accounts have advised the agency whether the auditing services could be provided by said auditors. As used in this

Substitute Senate Bill No. 1071

section, "state agency" has the same meaning as provided in section 4-37e of the general statutes and "contract" does not include any personal service agreement subject to section 4-215 or 4-216 of the general statutes.

Sec. 5. Subsection (a) of section 10-91g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) As used in this section and sections 10-91h to 10-91l, inclusive, "private provider of special education services" means any private school or private agency or institution, including a group home, that receives, directly or indirectly, any state or local funds as a result of providing special education services to any student with an individualized education program or for whom an individual services plan has been written by the local or regional board of education responsible for educating such student.

Sec. 6. Section 1-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

[The] In accordance with the provisions of section 2-90, as amended by this act, the Auditors of Public Accounts shall biennially conduct a compliance audit of each quasi-public agency's activities during the agency's two fiscal years preceding each such audit or contract with a person, firm or corporation for any such audit or audits. Each such audit shall determine whether the quasi-public agency has complied with its regulations concerning affirmative action, personnel practices, the purchase of goods and services, the use of surplus funds and the distribution of loans, grants and other financial assistance. Each audit shall include a review of all or a representative sample of the agency's activities in such areas during the relevant fiscal years. The Auditors of Public Accounts shall submit each audit report to the Governor. Each quasi-public agency shall pay the cost of conducting such biennial

Substitute Senate Bill No. 1071

compliance audit of the agency.

Sec. 7. Section 31-426 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) The Connecticut Retirement Security Authority shall keep an accurate account of all its activities, receipts and expenditures and shall submit, in accordance with the provisions of section 11-4a, a report detailing such activities, receipts and expenditures to the Connecticut Retirement Security Authority board of directors, the Governor, the Office of Auditors of Public Accounts and the joint standing committees of the General Assembly having cognizance of matters relating to labor and finance, revenue and bonding on or before December thirty-first annually. Such report shall be in a form prescribed by the board and shall include projected activities of the authority for the next fiscal year. [and shall be subject to approval by the Auditors of Public Accounts.]

(b) The Auditors of Public Accounts may conduct a full audit of the books and accounts of the authority pertaining to such activities, receipts and expenditures, personnel, services or facilities, in accordance with the provisions of chapter 12 and section 2-90, as amended by this act. For the purposes of such audit, the Auditors of Public Accounts shall have access to the properties and records of the authority. [, and may prescribe methods of accounting and the rendering of periodical reports in relation to projects undertaken by the authority.]

(c) The authority shall enter into memoranda of understanding with the State Comptroller pursuant to which the authority shall provide, in such form and manner as prescribed by the State Comptroller, information that may include, but need not be limited to, the current revenues and expenses of the authority, the sources or recipients of such revenues or expenses, the date such revenues or expenses were received or dispersed and the amount and the category of such revenues or expenses. The State Comptroller shall also enter into such memoranda

Substitute Senate Bill No. 1071

of understanding.

Sec. 8. Subsection (e) of section 4b-21 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(e) After receiving notification from the secretary that such land, improvement or interest may be treated as surplus, the Commissioner of Administrative Services shall offer to convey such land, improvement or interest to the municipality in which the land, improvement or interest is located, including, but not limited to, by selling, leasing, exchanging or entering into agreements concerning such land, improvement or interest, provided (1) prior to such conveyance, the municipality by vote of its legislative body accepts such conveyance, and (2) a resolution of such municipal action, verified by the clerk of the municipality, is delivered to the Commissioner of Administrative Services not more than [one hundred twenty] sixty days after receiving notice from the commissioner regarding the proposed conveyance. If the municipality fails to deliver such resolution to the commissioner within such [one-hundred-twenty-day] sixty-day period, the municipality shall be deemed to have declined the proposed conveyance, provided the commissioner may extend the [one-hundred-twenty-day period] sixty-day deadline by not more than an additional [sixty] thirty days. The municipality shall waive all rights to purchase the land, improvement, interest or part thereof if the municipality declines or is deemed to have declined the conveyance of such land, improvement, interest or part thereof.

Sec. 9. Section 8-260 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

Within the first ninety days of each calendar year, the authority shall report on its operations for the preceding calendar year to the Governor. The authority shall make a report to the General Assembly on or before

Substitute Senate Bill No. 1071

March fifteenth in each year that the General Assembly meets in general session. The report shall include a summary of the activities of the authority, a complete operating and financial statement and recommendations for legislation to promote the purposes of the authority. The accounts of the authority shall be subject to [annual] biennial audits by the State Auditors of Public Accounts.

Sec. 10. Section 15-120kk of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

On or before December fifteenth each year, the authority shall report, in accordance with the provisions of section 11-4a, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to transportation and commerce. Such report shall include a summary of the activities of the authority, a complete operating and financial statement and recommendations for legislation to promote the purposes of the authority. The accounts of the authority shall be subject to [annual] biennial audits by the state Auditors of Public Accounts.

Sec. 11. Section 32-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The corporation shall be subject to examination by the State Treasurer. The accounts of the corporation shall be subject to [annual] biennial audits by the State Auditors of Public Accounts.

Sec. 12. Section 1-86e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) No person hired by the state as a consultant or independent contractor, and no person employed by such consultant or independent contractor, shall:

(1) Use the authority provided [to the person] under the contract, or

Substitute Senate Bill No. 1071

any confidential information acquired in the performance of the contract, to obtain financial gain for the [person] consultant or independent contractor, an employee of the [person] consultant or independent contractor or a member of the immediate family of any such [person] consultant, independent contractor or employee;

(2) Accept another state contract which would impair the independent judgment of the [person] consultant, independent contractor or employee in the performance of the existing contract; or

(3) Accept anything of value based on an understanding that the actions of the [person] consultant, independent contractor or employee on behalf of the state would be influenced.

(b) No person shall give anything of value to a person hired by the state as a consultant or independent contractor or an employee of a consultant or independent contractor based on an understanding that the actions of the consultant, [or] independent contractor or employee on behalf of the state would be influenced.

Sec. 13. Subsection (a) of section 10-292 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Upon receipt by the Commissioner of Administrative Services of the final plans for any phase of a school building project as provided in section 10-291, said commissioner shall promptly review such plans and check them to the extent appropriate for the phase of development or construction for which final plans have been submitted to determine whether they conform with the requirements of the Fire Safety Code, the Department of Public Health, the life-cycle cost analysis approved by the Commissioner of Administrative Services, the State Building Code and the state and federal standards for design and construction of public buildings to meet the needs of persons with disabilities and the

Substitute Senate Bill No. 1071

school safety infrastructure criteria, developed by the School Safety Infrastructure Council, pursuant to section 10-292r, and if acceptable a final written approval of such phase shall be sent to the town or regional board of education and the school building committee. No phase of a school building project, subject to the provisions of subsection (c) or (d) of this section, shall go out for bidding purposes prior to such written approval.

Sec. 14. Section 22a-263 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The directors of the authority shall meet at least monthly at the call of the chairman and may meet more frequently if necessary and desirable. It shall maintain at all times minutes of its meetings including its considerations, deliberations, decisions and resolutions, which minutes shall be considered public records. It shall maintain all necessary records and data with respect to its operations and shall report quarterly to the Governor and annually to the General Assembly, upon its operations. Such reports shall include but not be limited to a listing of the number and type of waste management service contracts entered into with local government units and persons, and the charges therefor; a listing of the contracts entered into for the services of private industry in the operation of systems and facilities; a map showing the location of all facilities owned or leased by the authority; a schedule of the amounts of waste received and processed in such facilities; a listing of the outstanding issues of notes and bonds of the authority and the payment status thereof; a budget showing the administrative expenses of the authority; a report of revenues of the authority from all sources and of the redistribution of any surplus revenues. The authority shall be subject to audit by the state Auditors of Public Accounts in accordance with [normal audit practices prescribed for departments, boards, commissions and other agencies of the state] chapter 12 and section 2-90, as amended by this act.

Substitute Senate Bill No. 1071

Sec. 15. Subsection (c) of section 10-357b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(c) The State Education Resource Center shall be subject to (1) rules, regulations and restrictions on purchasing, procurement, personal service agreements and the disposition of assets generally applicable to Connecticut state agencies, including those contained in titles 4, 4a and 4b and section 4e-19, and (2) audit by the Auditors of Public Accounts under chapter 12 and section 2-90, as amended by this act.

Sec. 16. Subsection (d) of section 17a-10c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(d) On and after January 1, 2020, the caseworker of any child placed in an out-of-home placement by the Commissioner of Children and Families pursuant to an order of temporary custody or commitment shall meet in private with the child annually and any time the child is placed in a new out-of-home placement, provided the child is of an appropriate age. At such meeting, the caseworker shall, if applicable and appropriate: (1) Provide the child with a copy of the Sibling Bill of Rights, (2) review the Sibling Bill of Rights with the child, and (3) explain to the child that the child may contact the caseworker, the child's attorney, the Department of Children and Families regional office, the Office of Community Relations within the Department of Children and Families [Office of the Ombudsman] or the Office of the Child Advocate if the child feels that his or her rights under the Sibling Bill of Rights have been violated, and provide the child with contact information for such caseworker, such regional office, the Office of Community Relations within the Department of Children and Families [Office of the Ombudsman] and the Office of the Child Advocate. The caseworker shall certify to the commissioner on a form prescribed by the commissioner that such caseworker has complied with the provisions of

Substitute Senate Bill No. 1071

this subsection. Such form shall include (A) an acknowledgment, for signature by the child, if appropriate, that such caseworker provided a copy of the Sibling Bill of Rights to the child and reviewed the Sibling Bill of Rights with the child, and (B) notice that, if the child refuses to sign such acknowledgment, such caseworker shall indicate on the form that the child refused to sign such acknowledgment.

Sec. 17. Subsection (d) of section 17a-10e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(d) The caseworker of any child placed in an out-of-home placement by the Commissioner of Children and Families pursuant to an order of temporary custody or commitment shall meet in private with the child annually and any time the child is placed in a new out-of-home placement, provided the child is of an appropriate age. At such meeting, the caseworker shall: (1) Provide the child with a copy of the Children in Care Bill of Rights and Expectations, (2) review the Children in Care Bill of Rights and Expectations with the child, (3) explain to the child that the child may contact the caseworker, the child's attorney, the Department of Children and Families regional office, the Office of Community Relations within the Department of Children and Families [Office of the Ombudsman] or the Office of the Child Advocate if the child feels that his or her rights have been violated or expectations have not been met under the Children in Care Bill of Rights and Expectations, and provide the child with contact information for such caseworker, such regional office, the Office of Community Relations within the Department of Children and Families [Office of the Ombudsman] and the Office of the Child Advocate, and (4) explain to the child that if the child is in physical danger or experiences a medical emergency, the child may dial or send a text message to 9-1-1. The caseworker shall certify to the commissioner on a form prescribed by the commissioner that such caseworker has complied with the provisions of this subsection. Such

Substitute Senate Bill No. 1071

form shall include (A) an acknowledgment, for signature by the child, if appropriate, that such caseworker provided a copy of the Children in Care Bill of Rights and Expectations to the child and reviewed the Children in Care Bill of Rights and Expectations with the child, and (B) notice that, if the child refuses to sign such acknowledgment, such caseworker shall indicate on the form that the child refused to sign such acknowledgment.

Sec. 18. Section 2-90b of the general statutes is repealed. (*Effective October 1, 2021*)

Approved July 7, 2021