



General Assembly

Substitute Bill No. 1071

January Session, 2021



**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:

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2 repealed and the following is substituted in lieu thereof (*Effective October*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

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

10 Sec. 2. (NEW) (*Effective October 1, 2021*) As used in this section,
11 "contract", "state contracting agency", "data" and "contractor" have the
12 same meanings as provided in section 4e-1 of the general statutes. Any
13 contract between a state contracting agency and a contractor that is
14 entered into, renewed or amended on or after October 1, 2021, shall
15 contain a provision authorizing the state contracting agency to access
16 any data concerning such contract that is in the possession or control of
17 the contractor upon demand in a format prescribed by the state
18 contracting agency at no additional cost to such agency.

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 Subsection (c) of section 2-90 of the general statutes is repealed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

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

42 Sec. 4. (NEW) (*Effective October 1, 2021*) On and after October 1, 2021,
43 any state agency proposing to enter into or amend a contract for the
44 purchase of auditing services shall (1) notify the Auditors of Public
45 Accounts of such contract at least fifteen days prior to entering into or
46 amending such contract, and (2) not enter into or amend such contract
47 until the Auditors of Public Accounts have advised the agency whether
48 the auditing services could be provided by said auditors. As used in this
49 section, "state agency" has the same meaning as provided in section 4-
50 37e of the general statutes and "contract" does not include any personal
51 service agreement subject to section 4-215 or 4-216 of the general

52 statutes.

53 Sec. 5. Subsection (a) of section 10-91g of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective October*
55 *1, 2021*):

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

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

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

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

82 (a) The Connecticut Retirement Security Authority shall keep an

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

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

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

110 Sec. 8. Subsection (e) of section 4b-21 of the general statutes is
111 repealed and the following is substituted in lieu thereof (*Effective July 1,*
112 *2021*):

113 (e) After receiving notification from the secretary that such land,
114 improvement or interest may be treated as surplus, the Commissioner

115 of Administrative Services shall offer to convey such land, improvement
116 or interest to the municipality in which the land, improvement or
117 interest is located, including, but not limited to, by selling, leasing,
118 exchanging or entering into agreements concerning such land,
119 improvement or interest, provided (1) prior to such conveyance, the
120 municipality by vote of its legislative body accepts such conveyance,
121 and (2) a resolution of such municipal action, verified by the clerk of the
122 municipality, is delivered to the Commissioner of Administrative
123 Services not more than [one hundred twenty] sixty days after receiving
124 notice from the commissioner regarding the proposed conveyance. If
125 the municipality fails to deliver such resolution to the commissioner
126 within such [one-hundred-twenty-day] sixty-day period, the
127 municipality shall be deemed to have declined the proposed
128 conveyance, provided the commissioner may extend the [one-hundred-
129 twenty-day period] sixty-day deadline by not more than an additional
130 [sixty] thirty days. The municipality shall waive all rights to purchase
131 the land, improvement, interest or part thereof if the municipality
132 declines or is deemed to have declined the conveyance of such land,
133 improvement, interest or part thereof.

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

136 Within the first ninety days of each calendar year, the authority shall
137 report on its operations for the preceding calendar year to the Governor.
138 The authority shall make a report to the General Assembly on or before
139 March fifteenth in each year that the General Assembly meets in general
140 session. The report shall include a summary of the activities of the
141 authority, a complete operating and financial statement and
142 recommendations for legislation to promote the purposes of the
143 authority. The accounts of the authority shall be subject to [annual]
144 biennial audits by the State Auditors of Public Accounts.

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

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

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

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

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

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

166 (1) Use the authority provided [to the person] under the contract, or
167 any confidential information acquired in the performance of the
168 contract, to obtain financial gain for the [person] consultant or
169 independent contractor, an employee of the [person] consultant or
170 independent contractor or a member of the immediate family of any
171 such [person] consultant, independent contractor or employee;

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

175 (3) Accept anything of value based on an understanding that the
176 actions of the [person] consultant, independent contractor or employee

177 on behalf of the state would be influenced.

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

183 Sec. 13. Subsection (a) of section 10-292 of the general statutes is
184 repealed and the following is substituted in lieu thereof (*Effective October*
185 *1, 2021*):

186 (a) Upon receipt by the Commissioner of Administrative Services of
187 the final plans for any phase of a school building project as provided in
188 section 10-291, said commissioner shall promptly review such plans and
189 check them to the extent appropriate for the phase of development or
190 construction for which final plans have been submitted to determine
191 whether they conform with the requirements of the Fire Safety Code,
192 the Department of Public Health, the life-cycle cost analysis approved
193 by the Commissioner of Administrative Services, the State Building
194 Code and the state and federal standards for design and construction of
195 public buildings to meet the needs of persons with disabilities and the
196 school safety infrastructure criteria, developed by the School Safety
197 Infrastructure Council, pursuant to section 10-292r, and if acceptable a
198 final written approval of such phase shall be sent to the town or regional
199 board of education and the school building committee. No phase of a
200 school building project, subject to the provisions of subsection (c) or (d)
201 of this section, shall go out for bidding purposes prior to such written
202 approval.

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

205 The directors of the authority shall meet at least monthly at the call
206 of the chairman and may meet more frequently if necessary and
207 desirable. It shall maintain at all times minutes of its meetings including

208 its considerations, deliberations, decisions and resolutions, which
209 minutes shall be considered public records. It shall maintain all
210 necessary records and data with respect to its operations and shall
211 report quarterly to the Governor and annually to the General Assembly,
212 upon its operations. Such reports shall include but not be limited to a
213 listing of the number and type of waste management service contracts
214 entered into with local government units and persons, and the charges
215 therefor; a listing of the contracts entered into for the services of private
216 industry in the operation of systems and facilities; a map showing the
217 location of all facilities owned or leased by the authority; a schedule of
218 the amounts of waste received and processed in such facilities; a listing
219 of the outstanding issues of notes and bonds of the authority and the
220 payment status thereof; a budget showing the administrative expenses
221 of the authority; a report of revenues of the authority from all sources
222 and of the redistribution of any surplus revenues. The authority shall be
223 subject to audit by the state Auditors of Public Accounts in accordance
224 with [normal audit practices prescribed for departments, boards,
225 commissions and other agencies of the state] chapter 12 and section 2-
226 90, as amended by this act.

227 Sec. 15. Subsection (c) of section 10-357b of the general statutes is
228 repealed and the following is substituted in lieu thereof (*Effective October*
229 *1, 2021*):

230 (c) The State Education Resource Center shall be subject to (1) rules,
231 regulations and restrictions on purchasing, procurement, personal
232 service agreements and the disposition of assets generally applicable to
233 Connecticut state agencies, including those contained in titles 4, 4a and
234 4b and section 4e-19, and (2) audit by the Auditors of Public Accounts
235 under chapter 12 and section 2-90, as amended by this act.

236 Sec. 16. Subsection (d) of section 17a-10c of the general statutes is
237 repealed and the following is substituted in lieu thereof (*Effective October*
238 *1, 2021*):

239 (d) On and after January 1, 2020, the caseworker of any child placed

240 in an out-of-home placement by the Commissioner of Children and
241 Families pursuant to an order of temporary custody or commitment
242 shall meet in private with the child annually and any time the child is
243 placed in a new out-of-home placement, provided the child is of an
244 appropriate age. At such meeting, the caseworker shall, if applicable
245 and appropriate: (1) Provide the child with a copy of the Sibling Bill of
246 Rights, (2) review the Sibling Bill of Rights with the child, and (3) explain
247 to the child that the child may contact the caseworker, the child's
248 attorney, the Department of Children and Families regional office, the
249 Office of Community Relations within the Department of Children and
250 Families [Office of the Ombudsman] or the Office of the Child Advocate
251 if the child feels that his or her rights under the Sibling Bill of Rights
252 have been violated, and provide the child with contact information for
253 such caseworker, such regional office, the Office of Community
254 Relations within the Department of Children and Families [Office of the
255 Ombudsman] and the Office of the Child Advocate. The caseworker
256 shall certify to the commissioner on a form prescribed by the
257 commissioner that such caseworker has complied with the provisions of
258 this subsection. Such form shall include (A) an acknowledgment, for
259 signature by the child, if appropriate, that such caseworker provided a
260 copy of the Sibling Bill of Rights to the child and reviewed the Sibling
261 Bill of Rights with the child, and (B) notice that, if the child refuses to
262 sign such acknowledgment, such caseworker shall indicate on the form
263 that the child refused to sign such acknowledgment.

264 Sec. 17. Subsection (d) of section 17a-10e of the general statutes is
265 repealed and the following is substituted in lieu thereof (*Effective October*
266 *1, 2021*):

267 (d) The caseworker of any child placed in an out-of-home placement
268 by the Commissioner of Children and Families pursuant to an order of
269 temporary custody or commitment shall meet in private with the child
270 annually and any time the child is placed in a new out-of-home
271 placement, provided the child is of an appropriate age. At such meeting,
272 the caseworker shall: (1) Provide the child with a copy of the Children

273 in Care Bill of Rights and Expectations, (2) review the Children in Care
 274 Bill of Rights and Expectations with the child, (3) explain to the child
 275 that the child may contact the caseworker, the child's attorney, the
 276 Department of Children and Families regional office, the Office of
 277 Community Relations within the Department of Children and Families
 278 [Office of the Ombudsman] or the Office of the Child Advocate if the
 279 child feels that his or her rights have been violated or expectations have
 280 not been met under the Children in Care Bill of Rights and Expectations,
 281 and provide the child with contact information for such caseworker,
 282 such regional office, the Office of Community Relations within the
 283 Department of Children and Families [Office of the Ombudsman] and
 284 the Office of the Child Advocate, and (4) explain to the child that if the
 285 child is in physical danger or experiences a medical emergency, the child
 286 may dial or send a text message to 9-1-1. The caseworker shall certify to
 287 the commissioner on a form prescribed by the commissioner that such
 288 caseworker has complied with the provisions of this subsection. Such
 289 form shall include (A) an acknowledgment, for signature by the child, if
 290 appropriate, that such caseworker provided a copy of the Children in
 291 Care Bill of Rights and Expectations to the child and reviewed the
 292 Children in Care Bill of Rights and Expectations with the child, and (B)
 293 notice that, if the child refuses to sign such acknowledgment, such
 294 caseworker shall indicate on the form that the child refused to sign such
 295 acknowledgment.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	2-90(g)
Sec. 2	<i>October 1, 2021</i>	New section
Sec. 3	<i>October 1, 2021</i>	2-90(c)
Sec. 4	<i>October 1, 2021</i>	New section
Sec. 5	<i>October 1, 2021</i>	10-91g(a)
Sec. 6	<i>October 1, 2021</i>	1-122

Sec. 7	<i>October 1, 2021</i>	31-426
Sec. 8	<i>July 1, 2021</i>	4b-21(e)
Sec. 9	<i>October 1, 2021</i>	8-260
Sec. 10	<i>October 1, 2021</i>	15-120kk
Sec. 11	<i>October 1, 2021</i>	32-42
Sec. 12	<i>October 1, 2021</i>	1-86e
Sec. 13	<i>October 1, 2021</i>	10-292(a)
Sec. 14	<i>October 1, 2021</i>	22a-263
Sec. 15	<i>October 1, 2021</i>	10-357b(c)
Sec. 16	<i>October 1, 2021</i>	17a-10c(d)
Sec. 17	<i>October 1, 2021</i>	17a-10e(d)
Sec. 18	<i>October 1, 202</i>	Repealer section

GAE *Joint Favorable Subst.*