



General Assembly

January Session, 2021

**Substitute Bill No. 1076**



**AN ACT CONCERNING PUBLIC-PRIVATE PARTNERSHIPS AND  
PRIVATIZATION OF STATE SERVICES AT THE UNIVERSITY OF  
CONNECTICUT HEALTH CENTER.**

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

1 Section 1. (NEW) (*Effective July 1, 2021*) (a) As used in this section, (1)  
2 "Costs" means all reasonable, relevant and verifiable expenses,  
3 including salary, materials, supplies, services, equipment, capital  
4 depreciation, rent, maintenance, repairs, utilities, insurance, travel,  
5 overhead, interim and final payments and the normal cost of fringe  
6 benefits, as calculated by the State Comptroller; (2) "normal cost of  
7 fringe benefits" means the amount of contributions required to fund the  
8 fringe benefits allocated to the current year of service; (3) "privatization  
9 contract" means an agreement or series of agreements between The  
10 University of Connecticut Health Center and a person or entity, in  
11 which such person or entity agrees to provide services that are  
12 substantially similar to and in lieu of services provided, in whole or in  
13 part, by The University of Connecticut Health Center employees; (4)  
14 "public-private partnership" means the relationship established  
15 between The University of Connecticut Health Center and a private  
16 entity by contracting for the performance of any combination of  
17 specified functions or responsibilities currently performed by The  
18 University of Connecticut Health Center; and (5) "savings" means the  
19 difference between the current annual direct and indirect costs of

20 providing such services and the projected, annual direct and indirect  
21 costs of contracting to provide such services in any succeeding state  
22 fiscal year during the term of such proposed privatization contract.

23 (b) (1) In lieu of complying with the provisions of section 4e-16 of the  
24 general statutes, The University of Connecticut Health Center shall  
25 obtain the approval of the General Assembly under this section prior to  
26 soliciting bids or issuing a request for proposals for any proposed  
27 privatization contract or public-private partnership contract that is  
28 estimated to cost in excess of one million dollars annually. The  
29 University of Connecticut Health Center shall file (A) any such bid  
30 solicitation or request for proposals with the clerks of the House of  
31 Representatives and Senate, and (B) a copy of such solicitation or  
32 request for proposals with the joint standing committees of the General  
33 Assembly having cognizance of matters relating to higher education  
34 and government administration, in accordance with the provisions of  
35 section 11-4a of the general statutes. As part of such filing, the chief  
36 executive officer of The University of Connecticut Health Center shall  
37 certify that, based on the data and information, all projected costs,  
38 savings and benefits are valid and achievable. Any filing made under  
39 this subsection may be electronic.

40 (2) The General Assembly shall approve such bid solicitation or  
41 request for proposals as a whole, by a majority vote of each house or  
42 may reject such bid solicitation or request for proposals as a whole, by a  
43 majority vote of either house. If the General Assembly is in session, it  
44 shall vote to approve or reject such bid solicitation or request for  
45 proposals not later than thirty days after The University of Connecticut  
46 Health Center files such bid solicitation or request with the General  
47 Assembly. Such thirty-day period shall not begin or expire unless the  
48 General Assembly is in regular session. If the General Assembly is not  
49 in session when such bid solicitation or request for proposals is filed, it  
50 shall be submitted to the General Assembly not later than ten days after  
51 the first day of the next regular session or special session called for such  
52 purpose. For the purposes of this subsection, any bid solicitation or

53 request for proposals filed with the clerks of the House of  
 54 Representatives and Senate within thirty days before the  
 55 commencement of a regular session of the General Assembly shall be  
 56 deemed to be filed on the first day of such session.

57 (c) The filing of any proposed bid solicitation or request for proposals  
 58 by a state contracting agency in accordance with subsection (b) of this  
 59 section shall be deemed to satisfy all requirements of subsections (c) and  
 60 (d) of section 4e-16 of the general statutes.

61 Sec. 2. Subdivision (28) of section 4e-1 of the general statutes is  
 62 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
 63 *2021*):

64 (28) "State contracting agency" means any executive branch agency,  
 65 board, commission, department, office, institution or council. "State  
 66 contracting agency" does not include the judicial branch, the legislative  
 67 branch, the offices of the Secretary of the State, the State Comptroller,  
 68 the Attorney General, the State Treasurer, with respect to their  
 69 constitutional functions, any state agency with respect to contracts  
 70 specific to the constitutional and statutory functions of the office of the  
 71 State Treasurer. For the purposes of section 4e-16, "state contracting  
 72 agency" includes any constituent unit of the state system of higher  
 73 education, [and] for the purposes of section 4e-19, "state contracting  
 74 agency" includes the State Education Resource Center, established  
 75 under section 10-4q, and for the purposes of section 1 of this act, "state  
 76 contracting agency" includes The University of Connecticut Health  
 77 Center;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	4e-1(28)

**Statement of Legislative Commissioners:**

In Section 1(a)(4), "Health Center" was added for consistency with the rest of the section, in Section 1(b)(1) and (c), "submission" was changed to "filing" for consistency and in section 1(b)(2), "contract" was changed to "bid solicitation or request" for accuracy.

**GAE**      *Joint Favorable Subst. -LCO*