



General Assembly

February Session, 2024

Substitute Bill No. 5313



**AN ACT REESTABLISHING THE LEGISLATIVE PROGRAM REVIEW
AND INVESTIGATIONS COMMITTEE.**

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

1 Section 1. (NEW) (*Effective July 1, 2024*) (a) As used in this section and
2 sections 2 and 3 of this act:

3 (1) "Program review" means an examination of programs
4 administered by state departments and agencies to ascertain whether
5 such programs are effective, continue to serve their intended purposes,
6 are conducted in an efficient and effective manner or require
7 modification or elimination; and

8 (2) "Investigation" means the investigation of any matter which is
9 referred to the Legislative Program Review and Investigations
10 Committee, as provided in section 2 of this act.

11 (b) There is hereby reestablished a Legislative Program Review and
12 Investigations Committee, which shall be a permanent standing
13 committee of the General Assembly, consisting of (1) six members of the
14 Senate, three appointed by the president pro tempore and three
15 appointed by the minority leader of the Senate, and (2) six members of
16 the House of Representatives, three appointed by the speaker of the
17 House of Representatives and three appointed by the minority leader of
18 the House of Representatives. Members shall serve for a term of two

19 years from the date of appointment.

20 (c) The initial appointments of the members shall be made not later
21 than January 8, 2025, and thereafter appointments of the members shall
22 be made at the beginning of each regular session of the General
23 Assembly in the odd-numbered year. The terms of all members
24 appointed to the committee shall end with the termination of each
25 member's term or holding of office, whichever occurs first. Vacancies
26 shall be filled in the same manner as the original appointments. The
27 committee shall select cochairpersons and such other officers as it may
28 deem necessary from among its membership.

29 (d) A majority of the membership shall constitute a quorum and all
30 actions of the committee shall require the affirmative vote of a majority
31 of the full committee membership. The cochairpersons and ranking
32 minority members of the joint standing committee requesting an
33 investigation shall serve as nonvoting, ex-officio members of the
34 Legislative Program Review and Investigations Committee during the
35 course of such investigation.

36 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) The Legislative Program
37 Review and Investigations Committee shall:

38 (1) Direct its staff and other legislative staff available to the committee
39 to conduct program reviews and investigations to assist the General
40 Assembly in the proper discharge of its duties;

41 (2) Establish policies and procedures regarding the printing,
42 reproduction and distribution of its reports;

43 (3) Review staff reports submitted to the committee and, when
44 necessary, confer with representatives of the state departments and
45 agencies reviewed in order to obtain full and complete information in
46 regard to programs, other activities and operations of the state, and may
47 request and shall be given access to and copies of, by all public officers,
48 departments, agencies and authorities of the state and its political
49 subdivisions, such public records, data and other information and given

50 such assistance as the committee determines it needs to fulfill its duties;

51 (4) Act on staff reports and recommend in its report, or propose, in
52 the form of a raised bill, such legislation as may be necessary to modify
53 current operations and agency practices;

54 (5) Consider and act on requests by members of the General
55 Assembly, legislative committees, elected officials of state government
56 and state department and agency heads for program reviews. The
57 request shall be submitted, in writing, to the Program Review and
58 Investigations Committee and shall state reasons to support the request.
59 The decision of the committee to grant or deny any such request shall
60 be final;

61 (6) Conduct investigations requested by joint resolution of the
62 General Assembly, or, when the General Assembly is not in session, (A)
63 requested by a joint standing committee of the General Assembly or
64 initiated by a majority vote of the Program Review and Investigations
65 Committee and approved by the Joint Committee on Legislative
66 Management, or (B) requested by the Joint Committee on Legislative
67 Management. In the event two or more investigations are requested, the
68 order of priority shall be determined by the Legislative Program Review
69 and Investigations Committee;

70 (7) Retain, within available appropriations, the services of
71 consultants, technical assistants, researchers and other personnel
72 necessary to assist in the conduct of program reviews and
73 investigations;

74 (8) Originate, and report to the General Assembly, any bill it deems
75 necessary concerning a program, department or other matter under
76 review or investigation by the committee, in the same manner as is
77 prescribed by rule for joint standing committees of the General
78 Assembly;

79 (9) Review audit reports after issuance by the Auditors of Public
80 Accounts, evaluate and sponsor new or revised legislation based on

81 audit findings, provide means to determine compliance with audit
82 recommendations and receive facts concerning any unauthorized,
83 illegal, irregular or unsafe handling or expenditures of state funds under
84 the provisions of section 2-90 of the general statutes, as amended by this
85 act;

86 (10) Meet as often as may be necessary, during legislative sessions
87 and during the periods between sessions, to perform its duties and
88 functions; and

89 (11) Report annually to the General Assembly, in accordance with the
90 provisions of section 11-4a of the general statutes, on or before February
91 fifteenth.

92 (b) The committee may, at any time, study any matter within the
93 scope of a completed or partially completed staff report then being
94 conducted or may, at its discretion, study and consider any matter
95 relative to program activities of state departments and agencies.

96 (c) The identity of any public employee providing information to the
97 committee shall not be disclosed. In the course of an investigation, all
98 information, records of interviews, reports, statements, notes,
99 memoranda or other data in the custody of the, or obtained or prepared
100 by, the Legislative Program Review and Investigations Committee or its
101 staff shall not be subject to the provisions of section 1-210 of the general
102 statutes until the investigation is completed. Any statutory
103 requirements of confidentiality regarding any records, data and other
104 information submitted under subdivision (3) of subsection (a) of this
105 section, including penalties for violating such requirements, shall apply
106 to the committee, its staff and its other authorized representatives in the
107 same manner and to the same extent as such requirements and penalties
108 apply to any public officer, department, agency or authority of the state
109 or its political subdivisions.

110 Sec. 3. (NEW) (*Effective July 1, 2024*) (a) In any instance in which a
111 program review cites inadequate operating or administrative system
112 controls or procedures, inaccuracies, waste, extravagance, unauthorized

113 or unintended activities or programs, or other deficiencies, the
114 department head of, or agency head of, or the appropriate program
115 officer or official to which the report pertained, shall take the necessary
116 corrective actions and, when the committee deems the action taken to
117 be not suitable, the committee shall report the matter to the General
118 Assembly together with its recommendations.

119 (b) The committee shall report the results of each investigation
120 together with its recommendations for any further action to the General
121 Assembly electronically, in accordance with the provisions of section 11-
122 4a of the general statutes.

123 Sec. 4. Section 1-122 of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective July 1, 2024*):

125 (a) In accordance with the provisions of section 2-90, as amended by
126 this act, the Auditors of Public Accounts shall biennially conduct a
127 compliance audit of each quasi-public agency's activities during the
128 agency's two fiscal years preceding each such audit or contract with a
129 person, firm or corporation for any such audit or audits. Each such audit
130 shall determine whether the quasi-public agency has complied with its
131 regulations concerning affirmative action, personnel practices, the
132 purchase of goods and services, the use of surplus funds and the
133 distribution of loans, grants and other financial assistance. Each audit
134 shall include a review of all or a representative sample of the agency's
135 activities in such areas during the relevant fiscal years. Each quasi-
136 public agency shall pay the cost of conducting such biennial compliance
137 audit of the agency.

138 (b) The Auditors of Public Accounts shall submit each audit report to
139 the Governor [. Each quasi-public agency shall pay the cost of
140 conducting such biennial compliance audit of the agency] and the
141 Legislative Program Review and Investigations Committee. Not later
142 than thirty days after receiving copies of an audit report from the
143 Auditors of Public Accounts, the Legislative Program Review and
144 Investigations Committee shall prepare an assessment of whether the

145 audit report complies with the requirements of this section and shall
146 submit the assessment and a copy of the audit report to the joint
147 standing committee of the General Assembly having cognizance of
148 matters relating to the quasi-public agency.

149 Sec. 5. Subsection (a) of section 1-123 of the general statutes is
150 repealed and the following is substituted in lieu thereof (*Effective July 1,*
151 *2024*):

152 (a) The board of directors of each quasi-public agency shall annually
153 submit a report to the Governor and the Auditors of Public Accounts
154 and the Legislative Program Review and Investigations Committee.
155 Such report shall include, but need not be limited to, the following: (1)
156 A list of all bond issues for the preceding fiscal year, including, for each
157 such issue, the financial advisor and underwriters, whether the issue
158 was competitive, negotiated or privately placed, and the issue's face
159 value and net proceeds; (2) a list of all projects other than those
160 pertaining to owner-occupied housing or student loans receiving
161 financial assistance during the preceding fiscal year, including each
162 project's purpose, location, and the amount of funds provided by the
163 agency; (3) a list of all outside individuals and firms receiving in excess
164 of five thousand dollars in the form of loans, grants or payments for
165 services, except for individuals receiving loans for owner-occupied
166 housing and education; (4) a complete set of financial statements; (5) the
167 cumulative value of all bonds issued, the value of outstanding bonds,
168 and the amount of the state's contingent liability; (6) the affirmative
169 action policy statement, a description of the composition of the agency's
170 work force by race, sex, and occupation and a description of the agency's
171 affirmative action efforts; and (7) a description of planned activities for
172 the current fiscal year. Not later than thirty days after receiving such
173 report from the board of a quasi-public agency, the Legislative Program
174 Review and Investigations Committee shall prepare an assessment of
175 whether the report complies with the requirements of this section and
176 shall submit the assessment and a copy of the report to the joint standing
177 committee of the General Assembly having cognizance of matters
178 relating to the quasi-public agency.

179 Sec. 6. Section 2-46 of the general statutes is repealed and the
180 following is substituted in lieu thereof (*Effective July 1, 2024*):

181 (a) The president of the Senate, the speaker of the House of
182 Representatives, or a [chairman] chairperson of the whole, or of any
183 committee of either house, of the General Assembly, or either of the
184 chairpersons of the Legislative Program Review and Investigations
185 Committee, shall have the power to compel the attendance and
186 testimony of witnesses by subpoena and *capias* issued by any of them,
187 require the production of any necessary books, papers or other
188 documents and administer oaths to witnesses in any case under their
189 examination, including any program review or investigation, as defined
190 in section 1 of this act. Any person, summoned as a witness by the
191 authority of either house of the General Assembly or the Legislative
192 Program Review and Investigations Committee to give testimony or to
193 produce books, papers or other documents upon any matter under
194 inquiry before either house, [or] any committee of either house, of the
195 General Assembly, [or] a joint committee of both houses, or by the
196 Legislative Program Review and Investigations Committee, who
197 wilfully makes default or, having appeared, refuses to be sworn or to
198 answer any question pertinent to the question under inquiry, shall be
199 guilty of a class A misdemeanor.

200 (b) Any individual who is subpoenaed to appear and testify before a
201 committee of the General Assembly or by the Legislative Program
202 Review and Investigations Committee shall have the right to review a
203 copy of the transcript of his or her testimony and a reasonable amount
204 of time to question its accuracy prior to the public release of such
205 transcript or its permanent filing.

206 Sec. 7. Section 2-47 of the general statutes is repealed and the
207 following is substituted in lieu thereof (*Effective July 1, 2024*):

208 No witness shall be privileged to refuse to testify to any fact, or to
209 produce any paper, respecting which [he] such witness is examined by
210 either house of the General Assembly, or by any committee of either

211 house or any joint committee of both houses, or by the Legislative
212 Program Review and Investigations Committee in any program review
213 or investigation, as defined in section 1 of this act, upon the ground that
214 [his] such witness' testimony to such fact or [his] production of such
215 paper may tend to disgrace [him] such witness or otherwise render
216 [him] such witness infamous.

217 Sec. 8. Subsections (c) to (e), inclusive, of section 2-90 of the general
218 statutes are repealed and the following is substituted in lieu thereof
219 (*Effective July 1, 2024*):

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

242 (d) The Auditors of Public Accounts may enter into such contractual
243 agreements as may be necessary for the discharge of their duties. Any

244 audit or report which is prepared by a person, firm or corporation
245 pursuant to any contract with the Auditors of Public Accounts shall bear
246 the signature of the person primarily responsible for the preparation of
247 such audit or report. As used in this subsection, the term "person" means
248 a natural person.

249 (e) (1) If the Auditors of Public Accounts discover, or if it should come
250 to their knowledge, that any unauthorized, illegal, irregular or unsafe
251 handling or expenditure of state funds or quasi-public agency funds or
252 any breakdown in the safekeeping of any resources of the state or a
253 quasi-public agency has occurred or is contemplated, they shall
254 forthwith report the facts to the Governor, the State Comptroller, the
255 clerk of each house of the General Assembly, the Legislative Program
256 Review and Investigations Committee and the Attorney General, except
257 that if a matter reported to the Auditors of Public Accounts pursuant to
258 section 4-33a is still under investigation by a state or quasi-public
259 agency, the Auditors of Public Accounts may give the agency a
260 reasonable amount of time to conduct such investigation prior to the
261 auditors reporting the matter to said officials and committee. (2) If the
262 Auditors of Public Accounts decide to delay reporting such matter in
263 accordance with subdivision (1) of this subsection, the auditors shall
264 immediately notify the Attorney General of such decision. (3) Any
265 Auditor of Public Accounts neglecting to make the report required
266 under subdivision (1) of this subsection, or any agent of the auditors
267 neglecting to report to the Auditors of Public Accounts any such matter
268 discovered by such agent or coming to such agent's knowledge, shall be
269 fined not more than one hundred dollars or imprisoned not more than
270 six months, or both.

271 Sec. 9. Subdivision (11) of subsection (g) of section 17a-28 of the 2024
272 supplement to the general statutes is repealed and the following is
273 substituted in lieu thereof (*Effective July 1, 2024*):

274 (11) The Governor, when requested in writing in the course of the
275 Governor's official functions, the Legislative Program Review and
276 Investigations Committee, the joint standing committee of the General

277 Assembly having cognizance of matters relating to human services, the
278 joint standing committee of the General Assembly having cognizance of
279 matters relating to the judiciary or the joint standing committee of the
280 General Assembly having cognizance of matters relating to children,
281 when requested in writing by any of such committees in the course of
282 such committee's official functions, and upon a majority vote of such
283 committee, provided no name or other identifying information is
284 disclosed unless such information is essential to the gubernatorial or
285 legislative purpose;

286 Sec. 10. Section 51-51l of the 2024 supplement to the general statutes
287 is repealed and the following is substituted in lieu thereof (*Effective July*
288 *1, 2024*):

289 (a) Except as provided in subsection (d) of this section, the Judicial
290 Review Council shall investigate every written complaint brought
291 before it alleging conduct under section 51-51i, and may initiate an
292 investigation of any judge, administrative law judge or family support
293 magistrate if (1) the council has reason to believe conduct under section
294 51-51i has occurred or (2) previous complaints indicate a pattern of
295 behavior which would lead to a reasonable belief that conduct under
296 section 51-51i has occurred. The council shall, not later than five days
297 after such initiation of an investigation or receipt of such complaint,
298 notify by registered or certified mail any judge, administrative law
299 judge or family support magistrate under investigation or against
300 whom such complaint is filed. A copy of any such complaint shall
301 accompany such notice. The council shall also notify the complainant of
302 its receipt of such complaint not later than five days thereafter. Any
303 investigation to determine whether or not there is probable cause that
304 conduct under section 51-51i has occurred shall be confidential and any
305 individual called by the council for the purpose of providing
306 information shall not disclose his knowledge of such investigation to a
307 third party prior to the decision of the council on whether probable
308 cause exists, unless the respondent requests that such investigation and
309 disclosure be open, provided information known or obtained
310 independently of any such investigation shall not be confidential. The

311 judge, administrative law judge or family support magistrate shall have
312 the right to appear and be heard and to offer any information which may
313 tend to clear him of probable cause to believe he is guilty of conduct
314 under section 51-51i. The judge, administrative law judge or family
315 support magistrate shall also have the right to be represented by legal
316 counsel and examine and cross-examine witnesses. In conducting its
317 investigation under this subsection, the council may request that a court
318 furnish to the council a record or transcript of court proceedings,
319 including records and transcripts of juvenile matters pursuant to section
320 46b-124 and records and transcripts of cases involving youthful
321 offenders pursuant to section 54-76l, made or prepared by a court
322 reporter, assistant court reporter or monitor and the court shall, upon
323 such request, furnish such record or transcript.

324 (b) The Judicial Review Council shall, not later than three business
325 days after the termination of such investigation, notify the complainant,
326 if any, and the judge, administrative law judge or family support
327 magistrate that the investigation has been terminated and the results
328 thereof. If the council finds that conduct under section 51-51i has not
329 occurred, but the judge, administrative law judge or family support
330 magistrate has acted in a manner which gives the appearance of
331 impropriety or constitutes an unfavorable judicial or magisterial
332 practice, the council may issue an admonishment to the judge,
333 administrative law judge or family support magistrate recommending
334 a change in judicial or magisterial conduct or practice. If an
335 admonishment is issued, the council shall (1) notify the joint standing
336 committee of the General Assembly having cognizance of matters
337 relating to the judiciary that an admonishment was issued and provide
338 said committee with the substance of the admonishment, including
339 copies of the complaint file, (2) notify the Chief Court Administrator that
340 an admonishment was issued and provide the Chief Court
341 Administrator with the substance of the admonishment, including
342 copies of the complaint file, and (3) inform the complainant, if any, that
343 an admonishment was issued if the admonishment is the result of
344 misconduct alleged in the complaint. Except as provided in this

345 subsection, the substance of the admonishment shall not be disclosed to
346 any person or organization.

347 (c) If a preliminary investigation indicates that probable cause exists
348 that the judge, administrative law judge or family support magistrate is
349 guilty of conduct under section 51-51i, the council shall hold a hearing
350 concerning the conduct or complaint. All hearings held pursuant to this
351 subsection shall be open. A judge, an administrative law judge or a
352 family support magistrate appearing before such a hearing shall be
353 entitled to counsel, to present evidence and to cross-examine witnesses.
354 The council shall make a record of all proceedings pursuant to this
355 subsection. The council shall not later than thirty days after the close of
356 such hearing publish its findings together with a memorandum of its
357 reasons therefor.

358 (d) No complaint against a judge, an administrative law judge or a
359 family support magistrate alleging conduct under section 51-51i shall be
360 brought under this section but within one year from the date the alleged
361 conduct occurred or was discovered or in the exercise of reasonable care
362 should have been discovered, except that no such complaint may be
363 brought more than three years from the date the alleged conduct
364 occurred.

365 (e) Notwithstanding the provisions of subsections (a) and (b) of this
366 section, the council shall disclose any information concerning
367 complaints received by the council on and after January 1, 1978, and
368 investigations and disposition of such complaints to the Legislative
369 Program Review and Investigations Committee when requested by the
370 committee in the course of its functions, in writing, and upon a majority
371 vote of the committee, provided no names or other identifying
372 information shall be disclosed.

373 [(e)] (f) On and after December 19, 1991, any judge, administrative
374 law judge or family support magistrate who has been the subject of an
375 investigation by the Judicial Review Council as a result of a complaint
376 brought before such council may request that such complaint,

377 investigation and the disposition of such complaint be open to public
378 inspection.

379 ~~[(f)]~~ (g) Whenever a complaint against a judge, an administrative law
380 judge or a family support magistrate is pending before the Judicial
381 Review Council within the final year of the term of office of such judge,
382 administrative law judge or family support magistrate, the Judicial
383 Review Council shall designate such complaint as privileged and shall
384 conduct an expedited investigation and hearing so that its duties with
385 respect to such complaint are completed in sufficient time to enable the
386 Judicial Review Council to make its recommendation concerning any
387 such judge to the Judicial Selection Commission and the Governor
388 under section 51-51q in a timely manner.

389 Sec. 11. Subsection (a) of section 2-53m of the general statutes is
390 repealed and the following is substituted in lieu thereof (*Effective July 1,*
391 *2024*):

392 (a) The joint standing committee of the General Assembly having
393 cognizance of matters relating to children, in consultation with the
394 Office of Fiscal Analysis, the Office of Legislative Research and the
395 Commission on Women, Children and Seniors, shall maintain an annual
396 report card that evaluates the progress of state policies and programs in
397 promoting the result that all Connecticut children grow up in a stable
398 living environment, safe, healthy and ready to lead successful lives.
399 Progress shall be measured by primary indicators of progress,
400 including, but not limited to, indicators established in the [final] report
401 of the [former] Legislative Program Review and Investigations
402 Committee prepared pursuant to the provisions of section 1 of public
403 act 09-166, of state-wide rates of child abuse, child poverty, low birth
404 weight, third grade reading proficiency, and the annual social health
405 index developed pursuant to section 46a-131a. For each indicator, the
406 data shall also be presented according to ethnicity or race, gender,
407 geography, disability and, where appropriate, age and other relevant
408 characteristics. The joint standing committee of the General Assembly
409 having cognizance of matters relating to children shall prepare the

410 report card on or before January 15, 2018, and annually thereafter. On
411 or before January 15, 2018, and annually thereafter, said committee shall
412 make the report card available to the public on the Internet and on the
413 web site of the General Assembly and shall transmit the report card
414 electronically to (1) members of the joint standing committees of the
415 General Assembly having cognizance of matters relating to
416 appropriations and the budgets of state agencies and human services,
417 (2) the Commissioners of Children and Families, Education and Public
418 Health, (3) the Child Advocate, (4) the Secretary of the Office of Policy
419 and Management, and (5) the Chief Court Administrator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	New section
Sec. 4	<i>July 1, 2024</i>	1-122
Sec. 5	<i>July 1, 2024</i>	1-123(a)
Sec. 6	<i>July 1, 2024</i>	2-46
Sec. 7	<i>July 1, 2024</i>	2-47
Sec. 8	<i>July 1, 2024</i>	2-90(c) to (e)
Sec. 9	<i>July 1, 2024</i>	17a-28(g)(11)
Sec. 10	<i>July 1, 2024</i>	51-51l
Sec. 11	<i>July 1, 2024</i>	2-53m(a)

Statement of Legislative Commissioners:

In Section 8(e)(1), "and committee" was added for accuracy.

GAE *Joint Favorable Subst. -LCO*