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## OLR Bill Analysis

### SB 438 (File 489, as amended by Senate "A")\*

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

#### **SUMMARY**

This bill makes the following changes in the government administration statutes:

1. expands an existing exemption from disclosure under the Freedom of Information Act by specifically including whistleblower complaints filed with the state auditors (the exemption currently applies to investigation records and the name of a person who provides information) (§ 1),
2. authorizes the Department of Motor Vehicles (DMV) to conduct periodic background checks from federal and out-of-state criminal databases for active school bus and student transportation drivers (§ 2),
3. requires the local legislative body or regional board of education to hold a public meeting before submitting a corrective action plan regarding an audit that is non-compliant or shows certain irregularities (§ 3), and
4. makes minor changes that replace statutory references to "comprehensive annual financial reports" with "annual comprehensive financial reports" (§§ 4-8).

\*Senate Amendment "A" makes a technical correction to the public meeting requirement.

EFFECTIVE DATE: October 1, 2022

**§ 2 — CRIMINAL BACKGROUND CHECKS FOR STUDENT TRANSPORTATION DRIVERS**

The bill authorizes the motor vehicles commissioner to periodically conduct background checks on someone who has an operator’s license to drive a school bus or student transportation vehicle. Existing law authorizes the commissioner to conduct checks as part of the initial application. In practice, DMV periodically compares the list of student transportation drivers against the Department of Emergency Services and Public Protection’s criminal database, but it does not conduct national or out-of-state background checks after the initial application.

**§ 3 — PUBLIC HEARINGS FOR MUNICIPAL AUDITS**

Under existing law, an independent auditor must submit a report to the Office of Policy and Management secretary after an annual municipal financial audit or a single or program-specific audit (CGS § 7-393). If the secretary finds (1) the audit was not properly prepared and the entity did not have permission to file a non-compliant report or (2) evidence of unsound or irregular financial practices, management letter comments, or lack of standard internal controls, he must prepare a report concerning his findings and submit it to certain officials. These officials include the chief executive officer (CEO) of the municipality or audited agency, or the regional school district superintendent, and the municipal clerk, if applicable. The CEO or superintendent must then attest to and explain the secretary’s findings and submit a written corrective action plan.

The bill requires that a public meeting be held to discuss the secretary’s findings before submitting the plan.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable

Yea 18    Nay 1    (03/28/2022)