

**ASSEMBLY, No. 1185**

---

**STATE OF NEW JERSEY**

**217th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman JAMEL C. HOLLEY**

**District 20 (Union)**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Senator NILSA CRUZ-PEREZ**

**District 5 (Camden and Gloucester)**

**Senator JEFF VAN DREW**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Assemblyman Chiaravalloti, Assemblywomen Pinkin, Downey,  
Assemblyman Houghtaling and Assemblywoman Jones**

**SYNOPSIS**

Requires State Comptroller to report findings of audit compliance reviews.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Budget Committee with technical review.



**(Sponsorship Updated As Of: 6/23/2017)**

1 AN ACT requiring the State Comptroller to report the findings of  
2 audit compliance reviews and amending P.L.2007, c.52.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 11 of P.L.2007, c.52 (C.52:15C-11) is amended to  
8 read as follows:

9 11. a. The State Comptroller shall report the findings of audits  
10 and reviews performed by the office, and issue recommendations  
11 for corrective or remedial action, to the Governor, the President of  
12 the Senate and the Speaker of the General Assembly and to the unit  
13 in the Executive branch of State government, including any entity  
14 exercising executive branch authority, independent State authority,  
15 public institution of higher education, or unit of local government  
16 or board of education at issue. The unit in the Executive branch of  
17 State government, independent State authority, public institution of  
18 higher education, or unit of local government or board of education  
19 shall fully cooperate with the State Comptroller to develop  
20 recommendations for a corrective or remedial action plan. The  
21 State Comptroller shall monitor the implementation of those  
22 recommendations and shall conduct a subsequent review to  
23 determine whether there has been full implementation and  
24 continued compliance with those recommendations. The State  
25 Comptroller shall report the findings of the subsequent review to  
26 the Governor, the President of the Senate and the Speaker of the  
27 General Assembly within three years of the initial audit. Such  
28 report shall include the corrective or remedial action taken and the  
29 effect of the corrective or remedial action.

30 b. The State Comptroller shall report promptly to the Governor,  
31 the President of the Senate and the Speaker of the General  
32 Assembly if a unit in the Executive branch of State government,  
33 independent State authority, public institution of higher education,  
34 or unit of local government or board of education refuses to  
35 cooperate in development of a corrective or remediation plan or to  
36 comply with a plan.

37 c. The State Comptroller shall recommend that the Governor  
38 initiate disciplinary proceedings against any official or employee of  
39 a unit in the Executive branch of State government, including any  
40 entity exercising executive branch authority, or independent State  
41 authority who impedes an audit, or who fails or refuses to cooperate  
42 in the development of a corrective or remedial action plan or to  
43 comply with a plan. The Governor may cause an investigation to be  
44 made of the conduct of any such official or employee and may

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 require such official to submit to the Governor a written statement  
2 or statements, under oath, of such information as the Governor may  
3 call for relating to the official's or the employee's conduct alleged  
4 by the State Comptroller. After notice, the service of charges and an  
5 opportunity to be heard at public hearing, the Governor may remove  
6 any such official or employee for cause. Such official or employee  
7 shall have the right of judicial review, on both the law and the facts,  
8 in such manner as may be provided by law.

9 d. If the State Comptroller is advised by the Commissioner of  
10 Education, the Director of the Division of Local Government  
11 Services in the Department of Community Affairs, staff of the  
12 Local Finance Board, or the State Auditor that a unit of local  
13 government or board of education or any official or employee  
14 thereof has impeded an audit, or has failed or refused to cooperate  
15 in the development of a corrective or remedial action plan or to  
16 comply with a plan recommended by such State official or  
17 employee thereof, the State Comptroller is authorized to  
18 recommend that the Governor (1) withhold the expenditure of State  
19 funds that may be due to be paid to that unit of local government or  
20 board of education, and (2) request the Commissioner of Education,  
21 the Director of the Division of Local Government Services in the  
22 Department of Community Affairs, or staff of the Local Finance  
23 Board, as may be appropriate for that unit of local government or  
24 board of education, to impose a corrective or remedial action plan  
25 that may include the prior approval by the State Comptroller of that  
26 local unit's or board's contracts and expenditures.

27 e. The State Comptroller shall provide periodic reports to the  
28 Governor, and shall issue an annual report to the Governor and  
29 submit that report to the Legislature pursuant to section 2 of  
30 P.L.1991, c.164 (C.52:14-19.1), which shall be available to the  
31 public. The reports shall include but shall not be limited to the  
32 reporting of any programmatic deficiencies and weaknesses that the  
33 State Comptroller's audits, investigations, and reviews have found,  
34 and detailing the efforts by, or the failure of, any unit in the  
35 Executive branch of State government, including any entity  
36 exercising executive branch authority, independent State authority  
37 or unit of local government or board of education to implement a  
38 recommended plan for corrective or remedial action.

39 (cf: P.L.2007, c.52, s.11)

40

41 2. This act shall take effect immediately.