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

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

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

11. a. The State Comptroller shall report the findings of audits and reviews performed by the office, and issue recommendations for corrective or remedial action, to the Governor, the President of the Senate and the Speaker of the General Assembly and to the unit in the Executive branch of State government, including any entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education at issue. The unit in the Executive branch of State government, independent State authority, public institution of higher education, or unit of local government or board of education shall fully cooperate with the State Comptroller to develop recommendations for a corrective or remedial action plan. The State Comptroller shall monitor the implementation of those recommendations and shall conduct a subsequent review to determine whether there has been full implementation and continued compliance with those recommendations. The State Comptroller shall report the findings of the subsequent review to the Governor, the President of the Senate and the Speaker of the General Assembly within three years of the initial audit. Such report shall include the corrective or remedial action taken and the effect of the corrective or remedial action.

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

c. The State Comptroller shall recommend that the Governor initiate disciplinary proceedings against any official or employee of a unit in the Executive branch of State government, including any entity exercising executive branch authority, or independent State authority who impedes an audit, or who fails or refuses to cooperate in the development of a corrective or remedial action plan or to comply with a plan. The Governor may cause an investigation to be 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.
require such official to submit to the Governor a written statement
or statements, under oath, of such information as the Governor may
call for relating to the official's or the employee's conduct alleged
by the State Comptroller. After notice, the service of charges and an
opportunity to be heard at public hearing, the Governor may remove
any such official or employee for cause. Such official or employee
shall have the right of judicial review, on both the law and the facts,
in such manner as may be provided by law.

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

e. The State Comptroller shall provide periodic reports to the
Governor, and shall issue an annual report to the Governor and
submit that report to the Legislature pursuant to section 2 of
P.L.1991, c.164 (C.52:14-19.1), which shall be available to the
public. The reports shall include but shall not be limited to the
reporting of any programmatic deficiencies and weaknesses that the
State Comptroller's audits, investigations, and reviews have found,
and detailing the efforts by, or the failure of, any unit in the
Executive branch of State government, including any entity
exercising executive branch authority, independent State authority
or unit of local government or board of education to implement a
recommended plan for corrective or remedial action.
(cf: P.L.2007, c.52, s.11)

2. This act shall take effect immediately.