## 21-450C-06

1 A bill to be entitled 2 An act relating to agency inspectors general; 3 amending s. 20.055, F.S.; deleting the 4 requirement that investigations and inquiries 5 by inspectors general be free of perceived 6 impairments to their independence; requiring 7 provision of opportunity to challenge an 8 inspector general's report; requiring 9 development of procedures to ensure compliance 10 with requirements applicable to inspector general investigations; prescribing 11 12 applicability; providing effective dates. 13 Be It Enacted by the Legislature of the State of Florida: 14 15 Section 1. Subsection (6) of section 20.055, Florida 16 17 Statutes, is amended to read: 20.055 Agency inspectors general.--18 19 (6)(a) In carrying out the investigative duties and responsibilities specified in this section, each inspector 20 21 general shall initiate, conduct, supervise, and coordinate 22 investigations designed to detect, deter, prevent, and 23 eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government. For these purposes, each state 2.4 25 agency shall: 1.(a) Receive complaints and coordinate all activities 26 27 of the agency as required by the Whistle-blower's Act pursuant 2.8 to ss. 112.3187-112.31895. 2.(b) Receive and consider the complaints which do not 29 meet the criteria for an investigation under the 30 Whistle-blower's Act and conduct, supervise, or coordinate

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such inquiries, investigations, or reviews as the inspector general deems appropriate.

3.(c) Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

4.(d) Conduct investigations and other inquiries free of actual or perceived impairment to the independence of the inspector general or the inspector general's office. This shall include freedom from any interference with investigations and timely access to records and other sources of information.

5.(e) Submit in a timely fashion final reports on investigations conducted by the inspector general to the agency head, except for whistle-blower's investigations, which shall be conducted and reported pursuant to s. 112.3189.

6. Ensure a meaningful opportunity, including the right to an impartial hearing, to challenge findings, conclusions, and recommendations contained in a report resulting from an inquiry, investigation, audit, or review before it is finalized and made public in a written response to the findings, conclusions, and recommendations of the inspector general's final report, which response must be attached to the inspector general's final report and delivered to any party requesting such report at the same time the report is delivered.

(b) Specific procedures by which all inspectors

general will fully implement this subsection shall be

developed by the Chief Inspector General in the Executive

Office of the Governor. Development of initial procedures must

1	be completed within 120 days after this paragraph becomes a
2	law, but no later than September 30, 2006.
3	Section 2. This act, except for this section and
4	paragraph 20.055(6)(b), Florida Statutes, created in section 1
5	which shall take effect upon this act becoming a law, shall
6	take effect October 1, 2006.
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9	SENATE SUMMARY
10	Deletes a requirement that a state agency inspector general's investigations and inquiries be free of
11	perceived impairment of independence. Requires that state agencies ensure opportunity to challenge an inspector
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13	procedures to ensure compliance with requirements applicable to inspector general investigations.
14	applicable to inspector general investigations.
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