

HB 995

2006

1 A bill to be entitled

2 An act relating to agency inspectors general; amending s.
3 20.055, F.S.; deleting the requirement that investigations
4 and inquiries by inspectors general be free of perceived
5 impairments to their independence; requiring provision of
6 opportunity to challenge an inspector general's report;
7 requiring development of procedures to ensure compliance
8 with requirements applicable to inspector general
9 investigations; prescribing applicability; providing
10 effective dates.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (6) of section 20.055, Florida
15 Statutes, is amended to read:

16 20.055 Agency inspectors general.--

17 (6) (a) In carrying out the investigative duties and
18 responsibilities specified in this section, each inspector
19 general shall initiate, conduct, supervise, and coordinate
20 investigations designed to detect, deter, prevent, and eradicate
21 fraud, waste, mismanagement, misconduct, and other abuses in
22 state government. For these purposes, each state agency shall:

23 1.(a) Receive complaints and coordinate all activities of
24 the agency as required by the Whistle-blower's Act pursuant to
25 ss. 112.3187-112.31895.

26 2.(b) Receive and consider the complaints which do not
27 meet the criteria for an investigation under the Whistle-
28 blower's Act and conduct, supervise, or coordinate such

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

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

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

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

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

53 (b) Specific procedures by which all inspectors general
54 will fully implement this subsection shall be developed by the
55 Chief Inspector General in the Executive Office of the Governor.
56 Development of initial procedures must be completed within 120

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57 days after this paragraph becomes a law, but no later than
58 September 30, 2006.

59 Section 2. This act, except for this section and paragraph
60 20.055(6)(b), Florida Statutes, created in section 1 which shall
61 take effect upon this act becoming a law, shall take effect
62 October 1, 2006.