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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2010	.	
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The Committee on Governmental Oversight and Accountability
(Sobel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraphs (b) and (f) of subsection (2),
subsection (3), paragraph (f) of subsection (6), and subsections
(7) and (8) of section 20.055, Florida Statutes, are amended to
read:

20.055 Agency inspectors general.—

(2) The Office of Inspector General is hereby established
in each state agency to provide a central point for coordination
of and responsibility for activities that promote



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13 accountability, integrity, and efficiency in government. The
14 agency head shall appoint the inspector general who must be
15 confirmed by the Senate. It shall be the duty and responsibility
16 of each inspector general, with respect to the state agency in
17 which the office is established, to:

18 (b) Assess the reliability and validity of the information
19 provided by the state agency on performance outcomes ~~measures~~
20 and standards, and make recommendations for improvement, if
21 necessary, prior to submission of those outcomes ~~measures~~ and
22 standards to the Executive Office of the Governor pursuant to s.
23 216.013 ~~s. 216.0166(1)~~.

24 (f) Keep the ~~such~~ agency head and the Auditor General
25 informed concerning any fraud, abuses, or ~~and~~ deficiencies
26 relating to programs and operations administered or financed by
27 the state agency, recommend corrective action concerning such
28 fraud, abuses, and deficiencies, and report on ~~the~~ progress made
29 in implementing corrective action.

30 (3) ~~(a)~~ The inspector general of each state agency shall be
31 appointed by the Auditor General but shall be located at the
32 respective state agency head. ~~For agencies under the direction~~
33 ~~of the Governor, the appointment shall be made after notifying~~
34 ~~the Governor and the Chief Inspector General in writing, at~~
35 ~~least 7 days prior to an offer of employment, of the agency~~
36 ~~head's intention to hire the inspector general.~~

37 ~~(a)~~ ~~(b)~~ Each inspector general shall report to and be under
38 the general supervision of the Auditor General ~~agency head and~~
39 ~~shall not be subject to supervision by any other employee of the~~
40 ~~state agency. The inspector general shall be appointed without~~
41 ~~regard to political affiliation.~~



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42 (b)-(e) An inspector general may be removed from office by
43 the agency head. For agencies under the direction of the
44 Governor, the agency head shall notify the Governor and the
45 Chief Inspector General, in writing, of the intention to
46 terminate the inspector general for good cause shown at least 21
47 7 days before ~~prior to the~~ removal. For state agencies under the
48 direction of the Governor and Cabinet, the agency head shall
49 notify the Governor and Cabinet in writing of the intention to
50 terminate the inspector general for good cause shown at least 21
51 7 days before ~~prior to the~~ removal. Good cause must be
52 documented in the notification. The inspector general may not be
53 removed if an objection is made by the Governor or Governor and
54 Cabinet, as appropriate, within the 21 days before removal.
55 Removal may be made if the objection is later rescinded.

56 (c)-(d) An The agency head or agency staff may ~~shall~~ not
57 prevent or prohibit the inspector general from initiating,
58 carrying out, or completing any audit or investigation.

59 (6) In carrying out the investigative duties and
60 responsibilities specified in this section, each inspector
61 general shall initiate, conduct, supervise, and coordinate
62 investigations designed to detect, deter, prevent, and eradicate
63 fraud, waste, mismanagement, misconduct, and other abuses in
64 state government. For these purposes, each inspector general
65 shall:

66 (f) Submit in a timely fashion final reports on
67 investigations conducted by the inspector general to the agency
68 head and the Auditor General, except for whistle-blower's
69 investigations, which shall be conducted and reported pursuant
70 to s. 112.3189.



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71 (7) Each inspector general shall, by not later than
72 September 30 of each year, prepare an annual report summarizing
73 the activities of the office during the immediately preceding
74 state fiscal year. The final report shall be furnished to the
75 agency head and the Auditor General. Such report shall include,
76 but need not be limited to:

77 (a) A description of activities relating to the
78 development, assessment, and validation of performance measures.

79 (b) A description of significant problems, abuses, and
80 deficiencies relating to the administration of programs and
81 operations of the agency disclosed by investigations, audits,
82 reviews, or other activities during the reporting period.

83 (c) A description of the recommendations for corrective
84 action made by the inspector general during the reporting period
85 with respect to significant problems, abuses, or deficiencies
86 identified.

87 (d) The identification of each significant recommendation
88 described in previous annual reports on which corrective action
89 has not been completed.

90 (e) A summary of each audit and investigation completed
91 during the reporting period.

92 (8) The inspector general in each state agency shall
93 provide to the agency head and the Auditor General, upon
94 receipt, all written complaints concerning the duties and
95 responsibilities in this section, or any allegation of
96 misconduct related to the office of the inspector general or its
97 employees, ~~if~~ received from subjects of audits or investigations
98 who are individuals substantially affected or entities
99 contracting with the state, ~~as defined in this section~~. For



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100 agencies solely under the direction of the Governor, the
101 inspector general shall also provide the complaint to the Chief
102 Inspector General.

103 Section 2. This act shall take effect July 1, 2010.

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106 ===== T I T L E A M E N D M E N T =====

107 And the title is amended as follows:

108 Delete everything before the enacting clause
109 and insert:

110 A bill to be entitled
111 An act relating to agency inspectors general; amending
112 s. 20.055, F.S.; requiring agency inspectors general
113 to be confirmed by the Senate; updating a cross-
114 reference; requiring the agency inspector general to
115 keep the Auditor General informed of any agency fraud,
116 abuses, or deficiencies; revising the procedures for
117 removing an inspector general; requiring that the
118 agency inspector general provide to the Auditor
119 General final reports on investigations, an annual
120 report, and certain written complaints; providing an
121 effective date.