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## HOUSE BILL NO. 2115

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 3.2-3109.1, relating to the Tobacco Indemnification and Community Revitalization Commission; performance audit; report.*

Patron—Armstrong

Referred to Committee on Agriculture, Chesapeake and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 3.2-3109.1 as follows:**

*§ 3.2-3109.1. Oversight and performance review; Joint Legislative Audit and Review Commission.*

*A. The Joint Legislative Audit and Review Commission shall oversee and evaluate the Commission on a continuing basis and shall administer biennial operational and programmatic performance audits of the Commission.*

*B. The initial operational and programmatic performance audit shall provide an objective and independent assessment of the Commission's (i) effectiveness in meeting its strategic plans and goals, (ii) structure and governance, (iii) level of adherence and effectiveness of grant distribution and allocation policies and procedures, and (iv) success of projects receiving Commission funds at achieving stated goals. For the purpose of carrying out its duties under this section and notwithstanding any contrary provision of law, the Joint Legislative Audit and Review Commission shall have the following powers:*

*1. Access to the information, records, and facilities of the Commission;*

*2. Access to the public and executive session meetings and records of the Commission and any subcommittee thereof. Access shall include the right to attend such meetings;*

*3. Access to the Commission's employees, consultants, advisors, attorneys, and other contractors in the employ or hire of the Commission. Such persons shall cooperate with the Joint Legislative Audit and Review Commission and upon its request shall provide specific information or opinions in the form requested; and*

*4. Authorization to appoint a permanent subcommittee to provide guidance and direction for oversight activities, subject to full supervision and guidelines as the Joint Legislative Audit and Review Commission itself may provide.*

*C. Confidential or proprietary records of the Commission or its subsidiary corporations provided to Joint Legislative Audit and Review Commission shall be exempted from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).*

*D. The Joint Legislative Audit and Review Commission's reasonable and necessary expenses related to its duties under this chapter shall be payable from the Tobacco Indemnification and Community Revitalization Endowment established in § 3.2-3104.*

*E. The initial operational and programmatic performance audit shall be completed by November 1, 2011. The Joint Legislative Audit and Review Commission shall submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document by December 1, 2013, and every two years thereafter. The report shall include recommendations of policy and best management practices that, if adopted by the Commission, would maximize efficiency and performance of the Commission in meeting its strategic plans and goals. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.*

INTRODUCED

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