2010 -- S 2412

S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N   A C T

RELATING TO PUBLIC FINANCE - STATE FUNDS

Introduced By: Senators Pinga, E O`Neill, Cote, Raptakis, and Maher

Date Introduced: February 11, 2010

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1   SECTION 1. Chapter 35-4 of the General Laws entitled "State Funds" is hereby amended

2   by adding thereto the following section:

3   **35-4-29. Limitation on expenditures. --** (a) No officer or employee of the state may:

4   (1) Make or authorize an expenditure or make any obligation exceeding the amount of an

5   appropriation or the amount established in a fund; or

6   (2) Obligate the state to a contract or to an expenditure prior to an appropriation is

7   authorized by a legally constituted authority.

8   (b) Any officer or employee who violates subsection (a), or any reporting requirements

9   prescribed in subsection (d), shall be subject to an appropriate administrative discipline, including

10   suspension from duty without pay or removal from office.

11   (c) Any officer or employee who knowingly or willingly violates the provisions of this

12   chapter shall be subject to a fine of five thousand dollars ($5,000), or imprisonment for one year,

13   or both.

14   (d) The head of every department, agency or entity of the state shall report all violations

15   of this chapter in writing describing in detail all the relevant facts and the remedial action taken.

16   The report shall be made to the governor, the chairperson of the house and senate finance

17   committees, the auditor general and the state budget officer.

1   SECTION 2. This act shall take effect upon passage.

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N   A C T

RELATING TO PUBLIC FINANCE - STATE FUNDS

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1   This act would make it a violation for any employee or officer to make an expenditure in

2   excess of an appropriation, or to obligate the state to a contract or an expenditure, prior to an

3   appropriation authorized by a legally constituted authority.

4   This act would take effect upon passage.

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