

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the operations of the city of Boston Finance Commission to establish the Boston Inspector General Oversight Commission.

PETITION OF:

NAME: _____

Liz Miranda

DISTRICT/ADDRESS:

Second Suffolk

SENATE No. 2956

By Ms. Miranda, a petition (accompanied by bill, Senate, No. 2956) of Liz Miranda (with the approval of the mayor and city council) for legislation to amend the operations of the city of Boston Finance Commission to establish the Boston Inspector General Oversight Commission. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act amending the operations of the city of Boston Finance Commission to establish the Boston Inspector General Oversight Commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 17 of Chapter 486 of the Acts of 1909 is hereby amended by
2 striking the paragraph in its entirety and inserting the following section:

3 Section 17. Appointment of the Boston Inspector General Oversight Commission. In the
4 City of Boston there shall be a Commission consisting of 5 persons, inhabitants of and qualified
5 voters in the City of Boston, who shall have been such for at least 3 years prior to the date of
6 their appointment. Members shall serve without compensation and be individuals with
7 experience or expertise in investigations, auditing, administrative law, accounting, performance
8 measurements, public policy, community engagement, or other relevant expertise. Members shall
9 be appointed by the Governor, with one member appointed for the term of 5 years, one member
10 for 4 years, one member for 3 years, one member for 2 years, and one member for 1 year, and
11 thereafter as the terms of office expire in each year one member for a term of 5 years. Vacancies

12 in the Commission shall be filled for the unexpired term by the Governor. The members of said
13 commission may be removed by the Governor for cause. Such cause may include substantial
14 neglect of duty, gross misconduct or conviction of a crime. The reasons for removal of a
15 commission member shall be stated in writing and shall include the basis for such removal. Such
16 writing shall be sent to the clerk of the City of Boston, the Boston City Council, and the Mayor
17 at the time of the removal and shall be deemed to be a public document.

18 SECTION 2. Section 18 of Chapter 486 of the Acts of 1909 is hereby amended by
19 striking the paragraph in its entirety and inserting the following section:

20 Section 18. Duties of the Commission. The Commission shall appoint an Inspector
21 General following a majority vote of its members. The appointed Inspector General shall serve
22 for a term of five years. The person so appointed shall be selected without regard to political
23 affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing,
24 financial analysis, law, management analysis, public administration, investigation or criminal
25 justice administration.

26 In case of a vacancy in the position of Inspector General, their successor shall be
27 appointed in the same manner for the unexpired term. No person shall be appointed for more
28 than two five-year terms.

29 The person so appointed may be removed from office, for cause, by a majority vote of the
30 Commission. Such cause may include substantial neglect of duty, gross misconduct or conviction
31 of a crime. The reasons for removal of the inspector general shall be stated in writing and shall
32 include the basis for such removal. Such writing shall be sent to the clerk of the City of Boston,
33 the Boston City Council, and the Mayor at the time of the removal and shall be deemed to be a

34 public document. The Commission shall annually set the salary of the Inspector General. The
35 Inspector General must hold or obtain a nationally recognized certification as a Certified
36 Inspector General within one (1) year of their hiring date.

37 Additional duties of the Commission may include supporting the Inspector General in
38 conducting investigations, including but not limited to collecting data, conducting interviews,
39 writing and reviewing reports; monitoring the implementation of recommendations and
40 providing feedback to the Inspector General; conduct a performance review of the Inspector
41 General every 2 years; coming before the City Council upon request; review, amend, and
42 approve the annual budget proposed by the Inspector General.

43 No member of the Commission shall hold, or be a candidate for, any elected public office
44 while an officer or employee, or for three years thereafter, nor shall they hold office in any
45 political party or political committee, or participate in any political campaign of any candidate
46 for public office while an officer or employee.

47 SECTION 3. Section 19 of Chapter 486 of the Acts of 1909 is hereby amended by
48 striking the paragraph in its entirety and inserting the following section:

49 Section 19. Duties of the Inspector General. The Inspector General shall have the
50 authority to investigate any and all business of the City of Boston, including but not limited to:
51 conduct investigations on all matters related to the finances of the City or the county of Suffolk,
52 including appropriations, debt, loans, taxation, expenditures, bookkeeping, and Administration,
53 particularly concerning fraud, waste, abuse, mismanagement that require examination to ensure
54 transparency, efficiency, accountability, responsibility, integrity, and compliance with applicable
55 laws; as well as to review the policies, practices, and procedures related to these matters to

56 identify areas for improvement. Whenever any pay roll, bill, or other claim against the city is
57 presented to the mayor, city auditor, or the city treasurer, they shall, if the same seems to them to
58 be of doubtful validity, excessive in amount, or otherwise contrary to the city's interest, refer it
59 to the Commission, which shall immediately investigate the facts and report thereon; and
60 pending said report payment shall be withheld.

61 The Inspector General shall foster investigative, educational, auditing, evaluative,
62 preventative, and contract monitoring procedures to improve the delivery of City services,
63 strengthen accountability, and enhance operational effectiveness, all while adhering to
64 professional standards for Offices of Inspector General. To facilitate its work, the Inspector
65 General shall engage directly with constituents as necessary to gather information for
66 investigations, reviews, or recommendations and shall take appropriate steps to build public
67 awareness of its purpose, processes, and procedures for receiving complaints.

68 The Inspector General shall have the authority to initiate investigations based on
69 complaints from the Mayor, City Council, City vendors, grant recipients, employees of the City
70 or agencies thereof, contracted personnel, residents, and business owners or, at its discretion, to
71 address inefficiencies, waste, misconduct, abuse, or mismanagement in City operations, services,
72 and programs. The Inspector General shall have the power to issue subpoenas. When the
73 Inspector General has reason to believe they must recuse themselves from a matter, the Inspector
74 General shall refer such matter to the appropriate investigatory or law enforcement agency.

75 The Inspector General shall prepare and publish an annual report of the Commission and
76 file it with the City Clerk and the Governor. The annual report may include recommendations
77 regarding program weakness, contracting irregularities, or other institutional problems

78 discovered by the Inspector General. The annual report shall be made available publicly online
79 by March 1st of each year. The Inspector General shall appear in front of the City Council
80 annually and upon request.

81 SECTION 4. Section 21 of Chapter 486 of the Acts of 1909 is hereby amended by
82 striking the paragraph in its entirety and inserting the following section:

83 Section 21. Powers of the Commission and Enforcement. For the purpose of enabling
84 the said commission to perform the duties and carry out the objects herein contemplated by this
85 act, the Commission, by and through the Inspector General, is hereby empowered to inspect all
86 City records and inquire into the management of the business of said City, and to inform itself as
87 to the manner and methods in which the same is or has been conducted and is further authorized
88 to summon witnesses pursuant to M.G.L Ch. 233, § 8.

89 Subject to any applicable law, auditing, investigative, and evaluative files of the
90 Commission containing privileged or legally protected information shall be confidential and
91 shall not be divulged to any person or agency except to the United States Attorney, the
92 Massachusetts Attorney General, or Suffolk County District Attorney's Office, State Inspector
93 General, or as otherwise required by law. The Commission shall implement internal safeguards
94 to restrict access to ensure confidentiality and limit confidential auditing, investigative, and
95 evaluative files to authorized personnel only. Subject to Public Records law, names and identities
96 of individuals making complaints and information protected under law will not be disclosed
97 without the individual's written consent unless required by law or judicial processes.

98 No person employed by, under contract to, or any agent of the City of Boston shall either
99 directly or indirectly, take or threaten to take, direct others to take, recommend, or approve any

100 personal action against any individual or employee as reprisal for making a complaint, testifying
101 before, or disclosing information to the Commission and their staff. Upon notification of such a
102 claim, the Inspector General may conduct an investigation in accordance with this Chapter.

103 The Mayor, the City Council, the Commission, and any governmental or quasi-
104 governmental entity head shall not prevent, impair, or prohibit the Inspector General from
105 initiating, carrying out, or completing any audit, investigation, review, or evaluation. Any
106 covered entity that willfully and without justification or excuses obstructs an investigation of the
107 Inspector General by withholding documents or testimony is subject to forfeiture of office,
108 discipline, debarment, or any other applicable penalty.

109 Anyone who knows of or receives a complaint regarding misconduct, malfeasance,
110 misfeasance, conflicts of interest, acceptance of bribes or gratuities, fraud, waste, or abuse of
111 office should immediately report all relevant information or refer such complaint to the
112 Commission. It should be the duty of every covered entity to cooperate with the Inspector
113 General in any investigation pursuant to this Chapter, including the prompt provision to the
114 Inspector General any information, document, report, record, account, or other material
115 requested by the Inspector General in connection with an investigation, audit, review, or
116 evaluation.

117 The Inspector General may not hold any elected City office until two (2) years after
118 leaving the position and may not have worked as a City of Boston employee, with an exception
119 made for the existing Executive Director of the Finance Commission, or for a Boston elected
120 official within two (2) years of appointment. During their term, the Inspector General may not
121 engage in an occupation for profit, except for teaching, subject to the approval of the

122 Commission, or hold any other government office outside the duties of the Inspector General.
123 The Inspector General shall not solicit votes or raise monetary or in-kind contributions for any
124 candidate for an elective office. All employees of the commission are subject to M.G.L. 268A.

125 SECTION 5. Section 22 of Chapter 486 of the Acts of 1909 is hereby added by inserting
126 following section:

127 Section 22. Appropriation for the Support of the Commission. The City shall annually
128 appropriate an amount of money sufficient for the support the operation and administration of the
129 Commission; provided, however, that said city shall not be required to provide more money for
130 the support of the Commission than is appropriated. The Inspector General shall present their
131 recommended budget to the Commission and place it on record with the City Clerk by 1st
132 Wednesday in February prior to the beginning of such fiscal year to be presented by the Mayor
133 with the annual operating budget. In acting on appropriations for Commission costs, the Mayor
134 and city council shall approve the total amount of the appropriations requested by the
135 Commission, and may increase the total requested amount but neither the mayor nor the city
136 council shall allocate appropriations among accounts or place any restriction on such
137 appropriations. Each fiscal year appropriation shall be no less than previous year unless
138 recommended by either the Inspector General or the Commission votes to accept lower funding.

139 The appropriation of said city shall establish the total appropriation for the support of the
140 Commission, but may not limit the authority of the Commission to determine expenditures
141 within the total appropriation; provided, however, that if the city auditor determines that
142 Commission expenditures in any fiscal year are projected to be in excess of total budgeted
143 expenditures for that fiscal year, as supported by appropriation and other available funding, then

144 the Commission shall not reallocate or transfer funds from any item in the budget for that fiscal
145 year to fund any such projected additional expenditures.

146 The Inspector General shall not approve the appointment of any person except to a
147 budgeted position. The Inspector General, with the advice and consent of the Commission may
148 apply for and receive state and federal funds in order to fulfill the duties and responsibilities of
149 the office.

150 SECTION 6. The provisions of this act are severable and if any provision, or portion
151 thereof, should be held to be unconstitutional or otherwise invalid by any court of competent
152 jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions,
153 which remain in full force and effect.

154 SECTION 7. This act shall take effect 120 days after passage.