

Hall of the House of Representatives
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of House Bill No. 2464

"AN ACT CONCERNING THE LEGISLATIVE JOINT AUDITING COMMITTEE AND THE
DIVISION OF LEGISLATIVE AUDIT."

Amendment No. 2 to House Bill No. 2464.

Amend House Bill No. 2464 as engrossed, H3/23/05 (version: 03-23-2005 10:33):

Page 1, delete line 6 and substitute the following:
"By: Senators Wilkins, Lavery, Glover"

AND

Page 8, delete lines 4 through 6 and substitute the following:
"the authority to investigate documents, books, and records regarding receipt, expenditure, or disbursement of other funds if the committee or its executive committee determines that the investigation of the documents, books, and records is necessary to verify any audit of an entity of the state or a political subdivision of the state or to investigate misappropriation of other funds."

AND

Page 8, delete line 10 and substitute the following:
"other applicable law. All records, documents, correspondence or other data of a person, foundation, nonprofit corporation, or any other entity holding other funds that would infringe upon the rights, privacy, or confidentiality of donors of private funds to the person, foundation, nonprofit corporation, or other entity are exempt from public disclosure. Any working papers or other data relating to the donor information examined by the Legislative Auditor under this chapter are confidential and exempt from public disclosure."

AND

Page 8, delete line 15 and substitute the following:
"records. However, in the investigation of documents, books, and records regarding receipt, expenditure, or disbursement of other funds the committee or its executive committee must approve the Legislative Auditor's determination that the investigation of the documents, books, and records is



necessary to verify any audit of an entity of the state or a political subdivision of the state or to investigate misappropriation of other funds.”

AND

Page 13, delete lines 7 through 22 and substitute the following:

“(b)(1) In addition, the Legislative Auditor has the authority to investigate documents, books, and records regarding receipt, expenditure, or disbursement of other funds if the Legislative Auditor determines, subject to approval of the Legislative Joint Auditing Committee or its executive committee, that the investigation of the documents, books, and records is necessary to verify any audit of an entity of the state or a political subdivision of the state or to investigate misappropriation of other funds.

(2) Nothing in this section shall be construed as authorizing or permitting the release of information prohibited by law or not subject to public inspection under the provisions of the Freedom of Information Act of 1967 or other applicable law. All records, documents, correspondence, or other data of a person, foundation, nonprofit corporation, or any other entity holding other funds that would infringe upon the rights, privacy, or confidentiality of donors of private funds to the person, foundation, nonprofit corporation, or other entity are exempt from public disclosure. Any working papers or other data relating to the donor information examined by the Legislative Auditor under this chapter are confidential and exempt from public disclosure.

(c) The Legislative Auditor may conduct any audit or investigation that in his or her judgment is proper and necessary to carry out the purpose and intent of this subchapter or to assist the General Assembly in the proper discharge of its duties.

(d) In conducting audits of entities of the state or political subdivisions of the state, the Legislative Auditor shall have access at all times to and has the authority to examine any record or documentation relating to transactions with these entities, regardless of the nature, custodian, or location of these records. However, in the investigation of documents, books, and records regarding receipt, expenditure, or disbursement of other funds, the Legislative Auditor must determine, subject to approval of the Legislative Joint Auditing Committee or its executive committee, that the investigation of the documents, books and records is necessary to verify any audit of an entity of the state or a political subdivision of the state or to investigate misappropriation of other funds.”

AND

Page 22, line 32, after “state.” add “However, in the investigation of documents, books, and records regarding receipt, expenditure, or disbursement of other funds, the Legislative Auditor must determine, subject to approval of the Legislative Joint Auditing Committee or its executive committee, that the investigation of the documents, books and records is necessary to verify any audit of an entity of the state or a political subdivision of the state or to investigate misappropriation of other funds.”

AND

Page 23, delete line 4 and substitute the following:

“1967 or other applicable law. All records, documents, correspondence, or other data of a person, foundation, nonprofit corporation or any other entity holding other funds that would infringe upon the rights, privacy, or confidentiality of donors of private funds to the person, foundation, nonprofit corporation, or other entity are exempt from public disclosure. Any working papers or other data relating to the donor information examined by the Legislative Auditor under this chapter are confidential and exempt from public disclosure.”

The Amendment was read _____

By: Representative Roebuck

JDF/JDF - 03-31-2005 18:20

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Chief Clerk