

Part 2 Accounting System

63A-3-201 Appointment of accounting and other officers and employees by director of the Division of Finance -- Delegation of powers and duties by director -- Background checks.

- (1) With the approval of the executive director, the director of the Division of Finance shall appoint an accounting officer and other administrative officers that are necessary to efficiently and economically perform the functions of the Division of Finance.
- (2) The director of the Division of Finance may:
 - (a) organize the division and employ other assistants to discharge the functions of the division;
 - (b) delegate to assistants, officers, and employees any of the powers and duties of the office subject to his or her control and subject to any conditions he may prescribe; and
 - (c) delegate the powers and duties of the office only by written order filed with the lieutenant governor.
- (3)
 - (a) As used in this Subsection (3):
 - (i) "Public employee" means a person employed by a state agency.
 - (ii) "Public funds" means money, funds, and accounts, regardless of the source from which the money, funds, and accounts are derived, that are owned, held, or administered by a state agency.
 - (iii) "Public funds position" means employment with a state agency that requires:
 - (A) physical or electronic access to public funds;
 - (B) performing internal control functions or accounting;
 - (C) creating reports on public funds; or
 - (D) using, operating, or accessing state systems that account for or help account for public funds.
 - (iv) "State agency" means:
 - (A) an executive branch agency; or
 - (B) a state educational institution with the exception of an institution defined in Subsection 53B-1-102(1).
 - (b) The Division of Finance may require that a public employee who applies for or holds a public funds position:
 - (i) submit a fingerprint card in a form acceptable to the division;
 - (ii) consent to a criminal background check by:
 - (A) the Federal Bureau of Investigation;
 - (B) the Utah Bureau of Criminal Identification; or
 - (C) another agency of any state that performs criminal background checks; or
 - (iii) consent to a credit history report, subject to the requirements of the Fair Credit Reporting Act, 15 U.S.C. Sec. 1681 et seq.
 - (c) The Division of Finance may, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules to implement this section.

Amended by Chapter 298, 2016 General Session

63A-3-202 Comprehensive state accounting system -- Approval of agency accounting systems -- Cost accounting systems required.

- (1) The director of the Division of Finance shall establish a comprehensive state accounting system.
- (2) Officers, departments, agencies, and institutions of Utah may create and maintain accounting systems only with the approval of the director.
- (3) The director may, with the approval of the executive director, require any department or institution to install and maintain a cost accounting system that will disclose the unit cost of material or service produced or performed by a department.

Renumbered and Amended by Chapter 212, 1993 General Session

63A-3-203 Accounting control over state departments and agencies -- Prescription and approval of financial forms, accounting systems, and fees.

- (1) The director of the Division of Finance shall:
 - (a) exercise accounting control over all state departments and agencies except institutions of higher education; and
 - (b) prescribe the manner and method of certifying that funds are available and adequate to meet all contracts and obligations.
- (2) The director shall audit all claims against the state for which an appropriation has been made.
- (3)
 - (a) The director shall:
 - (i) prescribe all forms of requisitions, receipts, vouchers, bills, or claims to be used by all state departments and agencies;
 - (ii) prescribe the forms, procedures, and records to be maintained by all departmental, institutional, or agency store rooms;
 - (iii) exercise inventory control over the store rooms; and
 - (iv) prescribe all forms to be used by the division.
 - (b) Before approving the forms in Subsection (3)(a), the director shall obtain approval from the state auditor that the forms will adequately facilitate the post-audit of public accounts.
- (4) Before implementation by any state agency, the director of the Division of Finance shall review and approve:
 - (a) any accounting system developed by a state agency; and
 - (b) any fees established by any state agency to recover the costs of operations.

Amended by Chapter 298, 2016 General Session

63A-3-204 Financial control system -- Financial reports as to state funds -- Information required of executive directors of state departments.

- (1) The director of the Division of Finance shall:
 - (a) maintain a financial control system according to generally accepted accounting principles;
 - (b) record the constituent elements of the General Fund and of each special fund in proper relationship to each other; and
 - (c) keep all accounts in balance.
- (2) The director of the Division of Finance shall prepare and submit to the governor and to the Legislature, when requested, reports showing:
 - (a) the condition of the General Fund and each special fund of the state;
 - (b) the available cash resources of the General Fund and each special fund of the state;
 - (c) as to each fund:
 - (i) the estimated revenue and anticipated time of collection;

- (ii) the current encumbrances, future obligations, and estimated date they accrue;
 - (iii) appropriations;
 - (iv) obligations;
 - (v) monthly allotments;
 - (vi) unencumbered allotments; and
 - (vii) reserves and surpluses;
 - (d) the capital assets and liability accounts of the state; and
 - (e) the valuation account of all other state property.
- (3) The executive director of each department of state government and all institutions of higher education shall submit statements containing the information and data necessary to enable the director of the Division of Finance to submit to the governor the reports required by Subsection (2).

Renumbered and Amended by Chapter 212, 1993 General Session

63A-3-205 Revolving loan funds -- Standards and procedures -- Annual report.

- (1) As used in this section, "revolving loan fund" means:
- (a) the Water Resources Conservation and Development Fund, created in Section 73-10-24;
 - (b) the Water Resources Construction Fund, created in Section 73-10-8;
 - (c) the Water Resources Cities Water Loan Fund, created in Section 73-10-22;
 - (d) the Clean Fuel Conversion Funds, created in Title 19, Chapter 1, Part 4, Clean Fuels and Vehicle Technology Program Act;
 - (e) the Water Development Security Fund and its subaccounts, created in Section 73-10c-5;
 - (f) the Agriculture Resource Development Fund, created in Section 4-18-106;
 - (g) the Utah Rural Rehabilitation Fund, created in Section 4-19-4;
 - (h) the Permanent Community Impact Fund, created in Section 35A-8-603;
 - (i) the Petroleum Storage Tank Trust Fund, created in Section 19-6-409;
 - (j) the Uintah Basin Revitalization Fund, created in Section 35A-8-1602;
 - (k) the Navajo Revitalization Fund, created in Section 35A-8-1704; and
 - (l) the Energy Efficiency Fund, created in Section 11-45-201.
- (2) The division shall for each revolving loan fund:
- (a) make rules establishing standards and procedures governing:
 - (i) payment schedules and due dates;
 - (ii) interest rate effective dates;
 - (iii) loan documentation requirements; and
 - (iv) interest rate calculation requirements; and
 - (b) make an annual report to the Legislature containing:
 - (i) the total dollars loaned by that fund during the last fiscal year;
 - (ii) a listing of each loan currently more than 90 days delinquent, in default, or that was restructured during the last fiscal year;
 - (iii) a description of each project that received money from that revolving loan fund;
 - (iv) the amount of each loan made to that project;
 - (v) the specific purpose for which the proceeds of the loan were to be used, if any;
 - (vi) any restrictions on the use of the loan proceeds;
 - (vii) the present value of each loan at the end of the fiscal year calculated using the interest rate paid by the state on the bonds providing the revenue on which the loan is based or, if that is unknown, on the average interest rate paid by the state on general obligation bonds issued during the most recent fiscal year in which bonds were sold; and

(viii) the financial position of each revolving loan fund, including the fund's cash investments, cash forecasts, and equity position.

Amended by Chapter 227, 2014 General Session