

## Part 1 General Provisions

### 631-5-101 Title.

This chapter is known as the "Utah Internal Audit Act."

Renumbered and Amended by Chapter 382, 2008 General Session

### 631-5-102 Definitions.

As used in this chapter:

- (1) "Agency governing board" is any board or commission that has policy making and oversight responsibility over the agency, including the authority to appoint and remove the agency director.
- (2) "Agency head" means a cabinet officer, an elected official, an executive director, or a board or commission vested with responsibility to administer or make policy for a state agency.
- (3) "Agency internal audit director" or "audit director" means the person who:
  - (a) directs the internal audit program for the state agency; and
  - (b) is appointed by the audit committee or, if no audit committee has been established, by the agency head.
- (4) "Appointing authority" means:
  - (a) the governor, for state agencies other than the State Tax Commission;
  - (b) the Judicial Council, for judicial branch agencies;
  - (c) the Utah Board of Higher Education, for higher education entities;
  - (d) the State Board of Education, for entities administered by the State Board of Education; or
  - (e) the four tax commissioners, for the State Tax Commission.
- (5) "Audit committee" means a standing committee composed of members who:
  - (a) are appointed by an appointing authority;
  - (b)
    - (i) do not have administrative responsibilities within the agency; and
    - (ii) are not an agency contractor or other service provider; and
  - (c) have the expertise to provide effective oversight of and advice about internal audit activities and services.
- (6) "Audit plan" means a prioritized list of audits to be performed by an internal audit program within a specified period of time.
- (7) "Higher education entity" means the Utah Board of Higher Education, an institution of higher education board of trustees, or each higher education institution.
- (8) "Internal audit" means an independent appraisal activity established within a state agency as a control system to examine and evaluate the adequacy and effectiveness of other internal control systems within the agency.
- (9) "Internal audit program" means an audit function that:
  - (a) is conducted by an agency, division, bureau, or office, independent of the agency, division, bureau, or office operations;
  - (b) objectively evaluates the effectiveness of agency, division, bureau, or office governance, risk management, internal controls, and the efficiency of operations; and
  - (c) is conducted in accordance with the current:
    - (i) International Standards for the Professional Practice of Internal Auditing; or

- (ii) The Government Auditing Standards, issued by the Comptroller General of the United States.
- (10) "Judicial branch agency" means each administrative entity of the judicial branch.
- (11)
  - (a) "State agency" means:
    - (i) each department, commission, board, council, agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or other administrative unit of the state; or
    - (ii) each state public education entity.
  - (b) "State agency" does not mean:
    - (i) a legislative branch agency;
    - (ii) an independent state agency as defined in Section 63E-1-102;
    - (iii) a county, municipality, school district, special district, or special service district; or
    - (iv) any administrative subdivision of a county, municipality, school district, special district, or special service district.

Amended by Chapter 16, 2023 General Session