

STATE AUDITOR AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John L. Valentine

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Alcoholic Beverage Control Act to address powers of the state auditor to conduct audits under the act.

Highlighted Provisions:

This bill:

- ▶ repeals language regarding a private person conducting audits;
- ▶ requires the state auditor to perform financial audits of the department;
- ▶ requires the state auditor to distribute audits to specified individuals and entities;

and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

32B-2-302, as last amended by Laws of Utah 2012, Chapter 365

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **32B-2-302** is amended to read:



28 **32B-2-302. Exempt from Division of Finance -- Application of procurement --**
29 **External audits.**

30 (1) (a) The laws that govern the Division of Finance are not applicable to the
31 department in the purchase and sale of an alcoholic product.

32 (b) The department is exempt from Title 63G, Chapter 6, Utah Procurement Code, for
33 the purchase of an alcoholic product. The department is subject to Title 63G, Chapter 6, Utah
34 Procurement Code, for any purchase other than for an alcoholic product.

35 (2) The state auditor shall:

36 (a) [~~select a private person to~~] annually perform a financial audit of the department's
37 accounts[~~; subject to the commission approving the private person selected to perform the~~
38 ~~financial audit~~]; and

39 [~~(b) notify the governor of the private person selected to perform the financial audit;~~
40 ~~and]~~

41 [~~(c)~~] (b) determine the scope and focus of the financial audit in an open meeting of the
42 commission before the audit commences.

43 (3) Every two years, beginning for fiscal year 2013-14, the state auditor shall conduct
44 an audit of the department's:

45 (a) management operations, best practices, and efficiency; and

46 (b) ethics and statutory compliance.

47 (4) In addition to complying with Subsections (2) and (3), the state auditor may engage
48 in an activity related to the department or commission allowed under Utah Constitution, Article
49 VII, Section 15 or Title 67, Chapter 3, Auditor.

50 (5) The [~~commission~~] state auditor shall forward an audit report issued under
51 Subsection (2) or (3) to the following by no later than 30 days after the day on which the audit
52 report is made:

53 (a) the governor;

54 (b) the Legislative Management Committee;

55 (c) the director; and

56 (d) the legislative auditor general.

Legislative Review Note
as of 2-19-13 11:18 AM

Office of Legislative Research and General Counsel