



## HOUSE BILL 222: State Auditor/Sharing Records.

2017-2018 General Assembly

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<b>Committee:</b>	House State and Local Government II	<b>Date:</b>	March 21, 2017
<b>Introduced by:</b>	Reps. Cleveland, Riddell	<b>Prepared by:</b>	Cindy Avrette Staff Attorney
<b>Analysis of:</b>	First Edition		

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**OVERVIEW:** *House Bill 222 would give the State Auditor the discretion to share information and materials related to an investigation or audit with the appropriate State and federal governmental agencies prior to the issuance of an audit report. The bill is an agency bill, requested by the State Auditor.*

**CURRENT LAW:** The State Auditor provides impartial, independent review or examination of government organizations, programs, activities, and functions. The Auditor's audit responsibilities include not only governmental agencies, but also entities supported partially or entirely by public funds. The Auditor is also charged with investigating allegations of improper governmental activities by State agencies and State employees. Sometimes these audits and investigations find criminal activity, such as misappropriation, mismanagement, or waste of State resources, fraud, or violations of State or federal law by State agencies or State employees.

Audit work papers and related supportive materials remain confidential, even after the issuance of an audit report. However, once an audit report is issued, the State Auditor has the discretion to make the work papers and related supported materials available for inspection by other governmental agencies that need access to them in connection with some matter officially before them, such as a criminal investigation. The purpose of allowing the Auditor to share the information is to promote intergovernmental cooperation and avoid unnecessary duplication of work effort.

**BILL ANALYSIS:** House Bill 222 would allow the State Auditor to share information obtained through an investigation or audit with other governmental agencies prior to the completion of an investigation or the issuance of an audit report. Whenever the Auditor's audits or investigations reveal information that suggests a finding of criminal activity, there is most often some level of law enforcement involved in a similar, parallel investigation. The Office of the State Auditor believes it would be advantageous to involve the responsible law enforcement agency in the process earlier than is allowed under current law. Under current law, the Auditor cannot share its confidential work papers and related supported materials until the audit report is issued. This bill would allow the Auditor to share this information with the relevant agency earlier in the audit process.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.

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Director



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